

#### THE CITY OF SAN DIEGO

### REPORT TO THE PLANNING COMMISSION

DATE ISSUED:

February 18, 2010

REPORT NO. PC-10-010

ATTENTION:

Planning Commission, Agenda of February 25, 2010

SUBJECT:

TROLLEY RESIDENTIAL - PROJECT NO. 179950

PROCESS 5.

OWNER/

West Side Creek, LLC and Market Creek Partners, LLC (Attachment 12)

APPLICANT:

Jacobs Center for Neighborhood Innovation

#### **SUMMARY**

<u>Issue(s)</u>: Should the Planning Commission recommend City Council approval to construct 52 affordable rental units at 4981 Market Street within the Southeastern San Diego Community Planning areas, Encanto Neighborhood Planning area?

Staff Recommendation: Recommend City Council APPROVE Easement Abandonment No. 717558, Planned Development Permit No. 648152, and Site Development Permit No. 649661 (Amendment to PDP and SDP Nos. 582176 and 619562).

Community Planning Group Recommendation: On September 21, 2009, the Encanto Neighborhood Community Planning Group recommended approval of the project with no conditions, by a vote of 9-0-0 (Attachment 13).

<u>Other Recommendations:</u> The Southeastern Economic Development Corporation submitted a letter of support dated February 8, 2010 (Attachment 14).

Environmental Review: On April 28, 2009, Environmental Impact Report (EIR) No. 106715 for the Fifth Amendment to the Central Imperial Redevelopment Plan was certified by the Redevelopment Agency of the City of San Diego. The EIR adequately addressed the potential environmental impacts associated with the project and no new or additional mitigation measures or alternatives are required. Pursuant to California Environmental Quality Act Section 15162, no additional environmental documentation was required for this subsequent project.

<u>Fiscal Impact Statement</u>: None with this project. The costs associated with the processing of this project are paid in a deposit account maintained by the applicant.



Housing Impact Statement: The proposal to construct 52 residential dwelling units meets the goals and objectives of the Southeastern San Diego Community Plan and the General Plan. The 1.84-acre site is designated Neighborhood Village in the Southeastern San Diego Community Plan which allows a residential density of between 15 and 44 dwelling units per acre. Based on the site acreage, a range of 28 to 81 residential units could be developed on the site. The proposed 52-unit project is therefore consistent with the allowable residential density. The proposed project would conform with the Inclusionary Affordable Housing requirements exceeding the minimum affordable housing set aside of at least 10 percent (5 units) of the total rental units. This proposed project would dedicate all units (52) for households earning 30-60 percent of the Area Median Income (AMI), currently \$66,100 (HUD 2009) for a family of four. The project is also proposing to provide 100% of the units as affordable which would implement a primary goal of the Housing Element of the General Plan.

#### **BACKGROUND**

The proposed project is an Easement Abandonment, Planned Development Permit (PDP) and a Site Development Permit (SDP) (Amendment to Project No. 117302), to allow the construction of a 52-unit affordable, residential development within multi-story buildings with basement parking on a 1.84-acre site located at 4981 Market Street, at the southeast intersection of Market Street and Market Creek Place Driveway west of Euclid Avenue. The property is designated as Neighborhood Village in the Southeastern San Diego Community Plan, Encanto Neighborhoods Planning Area and zoned RM-3-7/Community Plan Implementation Overlay Zone Type "A." The property is within the Southeastern Economic Development Corporation's Central Imperial Redevelopment area.

The subject property (Lot 7) is a part of a larger development to the south, Market Creek Plaza Project No. 117302, totaling 20 acres and identified as Lots 1 through 6 and Lot "A." These lots are developed with the Jacobs Foundation Office/Conference Center/multiple use building, a shopping center including a Food for Less market, retail and commercial uses, an amphitheater and a segment of Chollas Creek. (Attachment 17 provides a chronology of background information regarding previous entitlements).

The subject property was originally proposed for retail development however it has not yet been redeveloped. The property is currently improved with a commercial coach and surface parking. The easterly portion of the site contains a segment of Chollas Creek. Market Creek Place Driveway, a 28-foot wide private driveway, encompasses the western portion of the site. This driveway functions as a thoroughfare providing vehicular and pedestrian access to the subject property and the aforementioned parcels adjacent to the south.

Surrounding land uses include the San Diego Metropolitan Transit System's Euclid Avenue Transit Station for bus service and the San Diego Trolley line service, located adjacent to the east fronting Market Street and Euclid Avenue. West of Market Creek Driveway is an industrial development. Across Market Street to the north are one story commercial buildings and vacant parcels. Other land uses in the immediate vicinity at the intersection of Market Street and Euclid Avenue are the Malcolm X branch of the San Diego Public Library, the Elementary Institute of Science, and the Tubman/Chavez Community Center (Attachment 5).

The proposed development requires the following approvals:

An Easement Abandonment to vacate an existing 10-foot wide sewer easement.

A Planned Development Permit for deviations to building height, parking and sign requirements and an Amendment to PDP 117302 to allow residential where retail was proposed.

A Site Development Permit for environmentally sensitive lands although project implementation would not impact on site or off site environmentally sensitive lands and no improvements are proposed or required within Chollas Creek. An SDP is also required for a development within the CPIOZ "A" where the project does not conform to a base zone regulation.

#### **DISCUSSION**

#### **Project Description**

The Trolley Residential Project proposes the construction of a 52 affordable, LEED certified, rental-unit development within two, four -story buildings above a subterranean parking garage totaling approximately 81,584 square feet. The complex includes a leasing facility with a computer room, a one-story community building for residents and recreation areas. The project includes 22 three bedroom units, 23 two bedroom units and 7 one bedroom units. Several of the units would have loft areas. Each unit would have either one tandem parking space, two side by side standard spaces, or one standard space for a total of 94 parking spaces. Vehicular access to the site is proposed from one driveway on Market Creek Place Drive. The project would also be appropriately sited toward Market Street and would include a primary pedestrian entrance into the project from Market Street. Two units along Market Street would have front doors facing Market Street. In terms of the entire project, each unit would have one or more balconies and/or covered patio area. Architectural design elements include building offsets, varied color treatments and varied roof lines. The building facades include streetscape elements such as awnings, decorative trellis' and raised planters. Street walls provide for window openings, recessed balconies and porches. The project complies with all of the supplemental regulations of the CPIOZ and, the relevant regulations of the RM-3-7 zone. Deviations for reduced parking, increased building height and additional signage have been incorporated into the project design as allowed with a Planned Development Permit.

#### Environmental Analysis:

Staff has conducted an independent analysis and concurs with the environmental secondary study prepared for the Trolley Residential Development (Attachment 7). The proposed activity will not have any significant effect on the environment other than as identified in the previous Environmental Impact Report (EIR). For the purposes of this analysis, the EIR includes: Final Environmental Impact Report, Fifth Amendment to the Central Imperial Redevelopment Plan. City of San Diego Project Number 106715, State Clearinghouse No. 2005031065/19900102; Final Mitigated Negative Declaration for Market Creek Plaza - Project No. 117302 [Vesting Tentative Map No. 396659, Planned Development Permit No. 582176 and Site Development

Permit No. 619562 (Amendment to Project No. 99-0156) (2009)]; Final Mitigated Negative Declaration for Market Creek Plaza- Project No. 99-0156 (1999)). There is no additional information or data available regarding environmental impacts identified in the previous EIR. Therefore, a Negative Declaration, Subsequent Environmental Impact Report, Supplement to the Environmental Impact Report, or an Addendum to the Environmental Impact Report will not be required and will not be prepared. Further, the secondary study identifies the mitigation measures included in the previous EIR that have been or will be implemented through the proposed project, and also indentifies those mitigation measures that have been implemented through the project design review process.

#### General/Community Plan Analysis:

The proposed 52-unit affordable housing project would be located within the Southeastern San Diego Community Plan, Encanto Neighborhoods Planning Area. The Community Plan designates the subject property for Neighborhood Village at 15 to 44 dwelling units (DUs) per acre. The 1.84-acre site could accommodate between 28 and 81 residential DUs. Therefore, the proposal to construct 52 dwelling units implements the Community Plan's recommended density range. The proposed project is a 100 percent affordable multi-family residential development serving residents earning 30-60 percent of the Area Median Income (\$66,100 for a family of four, HUD 2009). The site is part of the mixed use Village Center at Market Creek. This first phase of residential development in the Village Center continues the transformation of the previously vacant, untended, and underutilized land along the Market Street and Euclid Avenue corridors into a vibrant community hub. This location also provides opportunities for the increased use of public transit, as the Village Center includes the Euclid Avenue Trolley Station, a major bus transit center, along with a park and ride.

The Southeastern San Diego Community Plan Fifth Amendment to the Central Imperial Redevelopment Plan, adopted April 2, 2009 removed the project site as well as other parcels from the Southeastern San Diego Planned District Ordinance and created a Community Plan Implementation Overlay Zone (CPIOZ) to guide development. The proposed project is subject to both CPIOZ Type A and CPIOZ Type B regulations. CPIOZ, as it is used in the Southeastern San Diego Community Plan, regulates land use, development regulations, water use, parking, building site orientation and design, architectural design, open space, streetscape, landscape and lighting, walls and fences, signage, and sustainable design. The SESD CPIOZ A and B policies include guidelines that relate to water conservation, building site orientation and design, architectural design details, landscape, hardscape and streetscape design, as well as open space. As designed, the proposed project would meet the water conservation measures that are specified under CPIOZ A and B. The project would also be appropriately sited toward Market Street and would include a primary pedestrian entrance into the project from Market Street. Two of the four units fronting on Market Street would also have their front doors facing the street. Windows have been designed to be sited to allow occupants to have "eyes on the street" for natural surveillance along both Market Creek Drive and Market Street as well as into Chollas Creek.

In relation to massing and scale, the project incorporates window openings and balconies as well as multiple offsetting planes, and enhanced articulation. The roof lines would be broken up and varied within the overall horizontal plane. The project includes combinations of roof heights that would create variation. Varied building heights and forms would be provided as part of the

overall design. Color would be used as an important design element in the development's appearance. As recommended in CPIOZ A and B, muted tones would be used for the predominant colors of the dwelling units and accessory structures.

Landscape and hardscape along Market Street and Market Creek Drive would incorporate an enhanced urban art trail in lieu of the improvements adjacent to Chollas Creek. The interpretive urban trail would include artistic elements, pedestrian-oriented lighting, shade producing street trees and hardscape improvements that would reflect the naturalized environment of Chollas Creek. The landscape design would emphasize water-efficient plants.

Furthermore, the majority of the interior common space would be designed as a hardscape feature that would include a barbeque area as well as a gathering space. In addition, the private internal open space has been designed to be contiguous to the units it would serve and would overlook the Chollas Creek.

Included in this project are enhancements to Market Street to accommodate a bicycle lane. The pedestrian linkage to the MTS trolley station directly east of this project would be enhanced by the incorporation of the interpretive urban trail that would connect this proposed residential development to the multimodal station.

Since the site is located adjacent to Chollas Creek and is subject to the Chollas Creek Enhancement Program. The Chollas Creek Enhancement Program (CCEP) and Chollas Creek South Branch Phase I Implementation Program and Wetlands Management Plan, both adopted May 14, 2002 call for the naturalization of the creek and improvements to provide recreational opportunities and community linkages through trail development on both sides of the creek. This portion of the creek flow-way adjacent to the proposed project was restored and re-vegetated as part of the adjacent Market Creek Plaza commercial development. In relation to implementing the CCEP policy to provide an 8-foot trail between the creek and new development, the applicant considered incorporating the trail into the development project. However, it was determined that existing limitations including the Metropolitan Trolley System (MTS) right-of-way directly south of the project as well as the Market Street box-culvert directly north of the project would preclude the connection of a creek trail to the larger system proposed both up and down stream. To request relocation of the box culvert or identify a trail improvement that provided an accessible trail either over or under the MTS right-of-way would have been cost prohibitive and would have resulted in the project being abandoned. As an alternative, the project would provide an interpretive urban trail along the project boundaries of Market Street and Market Creek Drive. The urban trail shall include artistic elements, landscaping, pedestrian-oriented lighting, and hardscape improvements that reflect the natural and Chollas Creek environments.

The proposed project's proximity to passive and active recreation opportunities, commercial services, job opportunities, public amenities and a major transportation corridor implements the goals and policies of the General Plan, the Southeastern San Diego Community Plan as well as the Central Imperial Redevelopment Plan. The proposed project would meet the housing objectives of the General Plan's Housing Element by providing a range of housing types in a 100% affordable housing development. Staff believes that the proposed project is consistent with and would not adversely affect the General Plan, Southeastern San Diego Community Plan and Central Imperial Redevelopment Plan.

Staff has determined that the project as proposed meets the design criteria of CPIOZ A and B by providing an architecturally distinct, certified LEED Silver project that addresses Market Street as well as Chollas Creek with view opportunities and eyes on the street. The project would provide the additional onsite amenities of a multi-purpose community room with kitchen, computer room, as well as turfed area and playground equipment.

#### Project-Related Issues:

Sewer Easement Abandonment

The project would abandon a 10-foot wide sewer easement at the rear of site. The easement contains an active sewer main that serves the subject property and two adjacent off-site properties. The applicant proposes to maintain private utilization of the easement. Under such circumstances, the City Engineer requires the abandonment of the public easement to remove the encumbrance to the property and release the City's liability. San Diego Municipal Code Section 125.1040 outlines the required findings for easement abandonments. In summary, easements may be abandoned if there is no present or prospective public use for the easement for the use it was intended, or any other public use; the public would benefit by the improved use of the land; the abandonment is consistent with the land use plan; and, the public facility/purpose for which the easement was acquired, would not be detrimentally affected or the purpose for which the easement was acquired no longer exists. Staff can support the vacation as the easement is no longer needed for the purpose it was originally intended; the community would benefit from the abandonment as it would eliminate the City's liability as well as facilitate the construction of affordable housing stock for the community consistent with the zoning and the community plan.

#### Market Street and Market Creek Drive Improvements

Market Street currently is a four lane street with a painted median with a 44-foot center line to property line distance adjacent to the subject parcel, with a 5-foot wide sidewalk within a 10-foot curb to property line distance. Project implementation would provide for a 48-foot center line to property line distance, requiring a 4-foot dedication. The new right-of-way configuration will result in the following: An 11-foot wide curb to property line distance consisting of a 3.5 foot wide landscaped parkway adjacent to the new curb, a 7.5-foot wide sidewalk, a new 6-foot bike lane, two lanes of eastbound traffic and, a 7-foot area at centerline to accommodate a future raised median. The median modification is deferred until such time as the vacant parcels on the north side of Market Street are redeveloped. The Market Creek Drive is a 28-foot wide private driveway with an 8-foot curb parkway, consisting of 3 feet of landscaping and a 5-foot wide sidewalk. The applicant proposes to modify this parkway to include a meandering sidewalk and provide a non-contiguous sidewalk where feasible. Further, as conditioned by the permit, the development must provide an interpretive drought-tolerant urban trail (sidewalk) along the Market Street and Market Creek Drive project boundaries to include artistic elements, landscaping, pedestrian-oriented lighting, and hardscape improvements that reflect the natural and Chollas Creek environments. This enhanced trail system within these rights of ways is in lieu of a pedestrian trail adjacent to the creek as recommended by the Chollas Creek Enhancement Plan. Conditioning this requirement to a future date, would facilitate the public hearing process for the development (entitlements to be obtained by the end of March 2010 to

meet deadlines for state tax credit applications), and, would allow community and staff input into the final design.

#### Planned Development Permit Analysis

The project requires a PDP for three deviations to the building height, parking and the sign regulations as noted below. Staff's expanded analysis of the deviation requests are outlined within the draft PDP/SDP Resolution for consideration in Attachment 5.

- 1. Building Height: The RM-3-7 zone limits building height to 40'-0" for the plumb measurement and 50'-0" for overall building height. The proposed structures would reach a height of 58'-3" where 40'-0" is required and 65'-11" where 50'-0" is required.
- 2. Parking: A total of 94 parking spaces are provided where 98 are required.
- 3. Signage: The project proposes to maintain 2, 6'-0" high, 48-square-foot directional signs within the corner visibility area where structures over three feet in height are not allowed (Attachment 15).

The purpose of the PDP is to provide flexibility in the application of development regulations for projects where strict application of the base zone regulations would result in a less desirable project. The intent of the regulations is to accommodate to the greatest extent possible, an equitable balance of development types, intensities, styles, site constraints, project amenities, public improvements, community and City benefits. Deviations shall be permitted only if it is shown that similar situations exists within the surrounding neighborhood, or that the deviations to the regulations are beneficial to the neighborhood because of unique circumstances pertaining to the subject property. The proposed deviations to the building height, parking and sign regulations are minor in scope. The site contains unique circumstances not of the making of the applicant which impose design constraints such as the allowable development area, the infill nature of the development, and its proximity to the San Diego Trolley tracks. Project implementation requires traffic improvements at the intersection of Euclid Avenue and Interstate 94 and within the public right-of-way. The deviations would facilitate the new affordable, residential development consistent with the currently allowed density range of the community plan, thereby providing additional housing stock for the community in a quality residential development that exceeds the minimum open space requirements, provides for enclosed parking for the residents and project amenities.

Project implementation requires the installation of right-of-way improvements including a 4-foot dedication along Market Street to widen the existing sidewalk and to provide for a future median, as well as an enhanced urban trail along both Market Street and Market Creek Driveway in lieu of an on-site trail amenity, to fulfill a recommendation of the Chollas Creek Enhancement Plan. The project would also install a traffic signal at the intersection of Euclid Avenue and Interstate 94 on-ramp to facilitate access to the freeway. Staff analysis is that the requested minor deviations are consistent with the PDP regulations and would result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the zone. The project provides amenities, public improvements, and community and City benefits.

#### **CONCLUSION:**

Staff recommends that the Planning Commission recommend to City Council, approval of the project. The project as proposed implements the goals and objectives embodied in the SESD Community Plan and the General Plan which places an emphasis on new residential development which contributes to increased walkability and the provision of additional housing opportunities in close proximity to local employment centers as well as along transit corridors. The development complies with the requirements of the underlying zone as allowed with a Planned Development Permit. The project is consistent with all of the requirements of the Community Plan Implementation Overlay Zone. The Trolley Residential development is a part of the Village Center at Market and Euclid project area and the first project subsequent to the City Council approval of the Fifth Amendment to the Central Redevelopment Plan for various sites in the community which included rezones, Land Development Code revisions, and community plan amendments. The proposed project implements the anticipated residential component to the pilot village, facilitating the vision to revitalize the urban mixed-use neighborhood with a strong transit and pedestrian orientation.

#### ALTERNATIVES:

- 1. Recommend City Council Approve Easement Abandonment No. 717558, Planned Development Permit No. 648152, and Site Development Permit No. 649661 (Amendment to PDP and SDP Nos. 582176 and 619562) with modifications; or
- 2. Recommend City Council Deny Easement Abandonment No. 717558, Planned Development Permit No. 648152, and Site Development Permit No. 649661 (Amendment to PDP and SDP Nos. 582176 and 619562), if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Mike Westlake Program Manager

Development Services Department

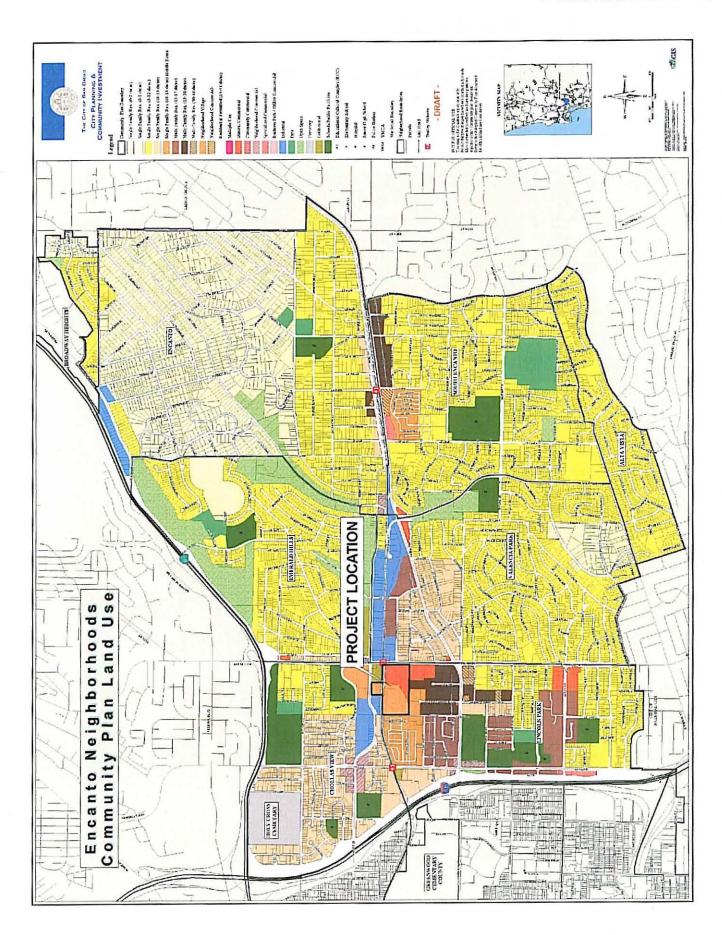
Sandra Teasley Project Manager

Development Services Department

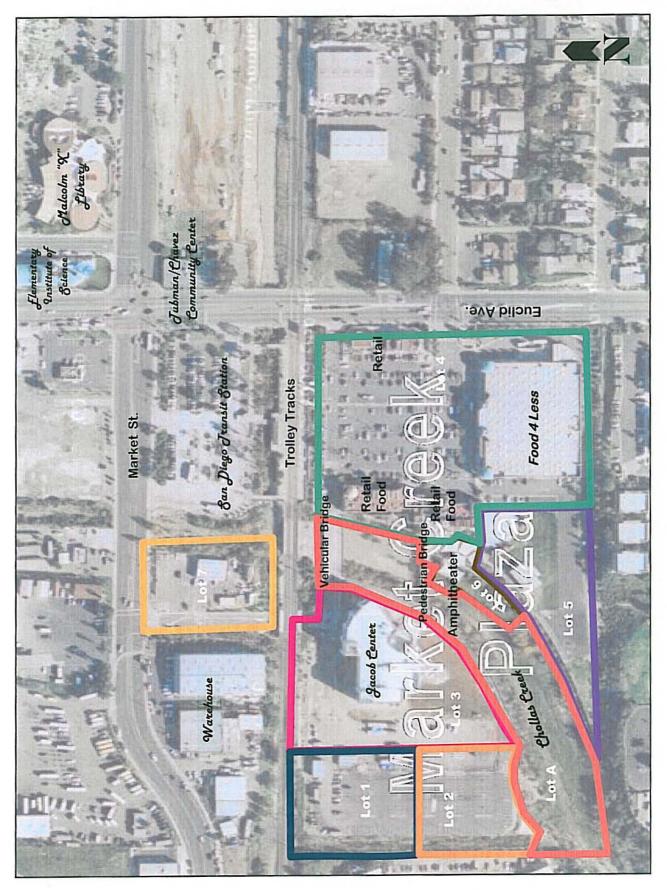
KGB/SMT

#### Attachments:

- 1. Location Map
- 2. Community Plan Land Use Map
- 3. Existing Land Use Map
- 4. Draft PDP/SDP Permit
- 5. Draft PDP/SDP Resolution
- 6. Draft Easement Abandonment Resolution
- 7. Environmental Secondary Study
- 8. PDP/VTM 117302 Permit
- 9. Project 117302 Exhibit A Excerpt
- 10. Project Plans
- 11. Easement Vacation B Sheet
- 12. Ownership Disclosure Statement
- 13. Encanto Neighborhood Community Group Vote
- 14. SEDC Correspondence
- 15. Sign Elevation
- 16. Project Data Sheet
- 17. Background/Chronology Previous Entitlements
- 18. (no attachment)
- 19. Renderings



# Attachment 3 Existing Land Uses



#### **RECORDING REQUESTED BY**

CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 23432378

EASEMENT ABANDONMENT NO. 717558
PLANNED DEVELOPMENT PERMIT NO. 648152
SITE DEVELOPMENT PERMIT NO.649661
(AMENDMENT TO PDP NO. 582176 AND SDP NO. 619562)

#### TROLLEY RESIDENTIAL PROJECT NO. 179950

This Easement Abandonment, Planned Development Permit and Site Development Permit (Amendment to Planned Development Permit No. 648152 and Site Development Permit No. 649661) is granted by the City Council of the City of San Diego to WEST SIDE CREEK, LLC AND MARKET CREEK PARTNERS, LLC, Owner, and JACOBS CENTER FOR NEIGHBORHOOD INNOVATION DMI, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 125.0110, 126.0504 and 126.0604. ); The site 20-acre site, including the 1.84-acre lot proposed for redevelopment is located and 310 through 404 Euclid Avenue, and legally described as Lot 1 of Brooks Subdivision Map No. 6506 and Parcels 1 and 2 of Parcel Map No. 18812 (and identified in Vesting Tentative Map No. 117302 as Lots 1 through 7 and Lot A), Southeastern San Diego Community Plan, Encanto Neighborhoods Planning Area, in the RM-3-7 zone and Community Plan Implementation Overlay Zone Type "A".

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to construct a 52-unit affordable apartment unit development, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated [INSERT Approval Date], on file in the Development Services Department.

The project shall include:

a. A multi-family development consisting of 52 affordable apartments within two (2) three and four story building complexes (including a 937-square-foot leasing facility and multi-purpose room) above a subterranean garage totally approximately 70,028 square feet;

- b. A one story, community building totaling 1,378 square feet;
- c. Abandonment of a 10-foot wide sewer easement;
- d. Deviations to the following development regulations:
  - i. Buildings I and II reaching an overall structure height of approximately 66'-0" where 50'-0" is the maximum allowed and a plum measurement of 57'-0" where 40'-0" is the maximum allowed;
  - ii. Ninety-four parking spaces where 98 are required;
  - iii. Maintain two, six-foot high, 48-square-foot ground signs within the corner driveway visibility area where structures exceeding 3'-0" in height are not allowed;
- e. A segment of Las Chollas Creek within the eastern portion of the site, previously restored pursuant to Project No. 99-0156;
- f. Market Creek Driveway, a private driveway located within the western portion of the site;
- g. Amendments to the following documents to delete all references to the subject property, Lot 1 of Brooks Subdivision Map No. 6506: Architectural and Sign Design Guidelines entitled Market Creek Plaza Architectural Design Guidelines and the Market Creek Plaza Sign Design Guidelines adopted by City Council on September 28, 1999;
- h. Planning Commission Project No. 117302 (VTM No. 396659, PDP No. 582716 and SDP No. 619562), deviations to the CT-2 zone lot standards pursuant to resubdivide the property and allow reduced width and street frontages as indicated in the table below. The subject property is identified as Lot 7:

| Proposed<br>Lot# | Proposed<br>Street Frontage | Proposed Lot<br>Width | Lot Standard Requirements   |  |
|------------------|-----------------------------|-----------------------|---|--|
| Lot 1            | 0'-0"                       | No Deviation          | 100'-0''  |  |
| Lot 2            | 0'-0"                       | No Deviation          | 100'-0''  |  |
| Lot 3            | 0'-0"                       | No Deviation          | 100'-0''  |  |
| Lot 4            | No Deviation                | No Deviation          | Lot 4 complies with the lot standards   |  |
| Lot 5            | 0'-0"                       | No Deviation          | 100'-0''  |  |
| Lot 6            | 0'-0"                       | 63'-0"                | 100'-0" Width   |  |
| Lot 7            | No Deviation                | No Deviation          | No changes proposed (Existing Lot 1 of Map No. 6506 in compliance with lot standards) |  |
| Lot A            | 0'-0''                      | No Deviation          | 100'-0''  |  |

i. City Council Approved Project No. 99-0156 as indicated in the table below. Development approved for the subject parcel Lot 1 (proposed Lot 7) is noted:

| Approved Developmen<br>RPO/SESD No. 9 |            | Status February 2010<br>(Approximate Square Feet) |                       |
|---------------------------------------|------------|---|-----------------------|
| Building Area                         | Total      | Built   | Remaining to be Built |
| Retail Building Area:                 |            |   |                       |
| Pad I                                 | 4,702 SF   | 0   | 4,702 SF              |
| Pad 2                                 | 3,715 SF   | 0   | 3,715 SF              |
| Pad 3                                 | 3,504 SF   | 3,504 SF  | 0                     |
| Shops 4                               | 11,047 SF  | 111.047 SF  | 0                     |
| Shops 5                               | 6,413 SF   | 6,413 SF  | 0                     |
| Kiosks                                | 1,372 SF   | . 0   | 1.372 SF              |
| Market                                | 57,590 SF  | 57,590 SF   | 0                     |
| Youth Mall                            | 1,800 SF   | 0   | 1,800 SF              |
| Child Care Center                     | 5,028 SF   | 0   | 5,028 SF              |
| Office Building Area                  | 224,411 SF | 77,000 SFF  | 147,110 SF            |
| Community Building<br>Area            |            |   |                       |
| Multi-Purpose Rec Center              | 12,406 SF  | 0   | 12,406 SF             |
| Amphitheater                          |            | Built   |                       |
| Vehicular & Pedestrian<br>Bridge      |            | Built   |                       |
| Underpass Beneath Trolley Rail        |            | Built   |                       |

- i. Landscaping (planting, irrigation and landscape related improvements);
- k. Off-street parking;
- 1. Recreational areas/amenities including outdoor play areas, passive overlook areas adjacent to the creek totaling approximately 7,000 square feet; and,
- m. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

#### **STANDARD REQUIREMENTS:**

1. This permit must be utilized within forty-eight (48) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as

described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.

- <u>2.</u> No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
- 3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.
- 4. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
- <u>5.</u> The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
- <u>6.</u> Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
- <u>7.</u> The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
- <u>8.</u> Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.
- 9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall

have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election. Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

#### AFFORDABLE HOUSING REQUIREMENTS:

11. The project is subject to the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code). The Applicant has elected to provide 10 percent of the units as affordable to comply with the affordable housing requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code). Prior to issuance of the first residential building permit, the Applicant shall enter into an Agreement with the San Diego Housing Commission to ensure compliance with the affordable housing requirements of the Inclusionary Housing Ordinance and Procedures Manual.

#### **ENGINEERING REQUIREMENTS:**

- <u>12.</u> Prior to the issuance of a building permit, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
- 13. The drainage system proposed for this development is private and subject to approval by the City Engineer.
- 14. Prior to the issuance of any construction permits, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

- 15. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications, satisfactory to the City Engineer.
- 16. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications, satisfactory to the City Engineer.
- <u>17.</u> Prior to the issuance of any construction permits, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards, satisfactory to the City Engineer.
- 18. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report, satisfactory to the City Engineer.
- 19. This project proposes to export 16,000 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per LDC Section 141.0620(i).
- <u>20.</u> Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB.
- 21. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 99 08 DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 99 08 DWQ.
- <u>22.</u> Prior to the issuance of any permits the applicant shall dedicate an additional 4 feet southerly of Market Street to provide an 11 feet curb to property line distance satisfactory to the City Engineer.

#### LANDSCAPE REQUIREMENTS:

- 23. Prior to issuance of any engineering permits for grading, construction documents for the revegetation and hydroseeding of all disturbed land shall be submitted in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Office of the Development Services Department.
- 24. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the Development Services Department for approval. Improvement plans shall take into account a 40 square feet area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees. Plans shall be in substantial conformance to this permit (including the enhanced urban trail requirement set forth under Condition No. 35) and Exhibit "A," on file in the Office of the Development Services Department.
- 25. In the event that a foundation only permit is requested by the Owner/Permittee, a site plan or staking layout plan shall be submitted identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as "landscaping area."
- 26. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall take into account a 40 square feet area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.
- 27. Prior to the issuance of any Certificate of Occupancy, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.
- <u>28.</u> All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.
- 29. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity.
- <u>30.</u> If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed

during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy.

#### PLANNING/DESIGN REQUIREMENTS:

- 31. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.
- <u>32.</u> All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" and the community plan.
- 33. Hours of operation for the amphitheater are as follows: Monday Friday 9:00 a.m. to 3:00 p.m. and after 6:30 p.m. daily on Saturday, Sunday and Holidays. The school children may use the amphitheater during the Monday Friday 9:00 a.m. to 3:00 p.m. period. Performances at the amphitheater shall end no later than twelve midnight, seven days a week. No performances shall be allowed between twelve midnight and 9:00 a.m.
- 34. Prior to the issuance of any construction permit, the plans shall fully illustrate the incorporation of renewable energy technology on site through renewable energy resources (i.e. photovoltaic), and shall fully illustrate all measures that will be used to achieve a LEED "Silver" Level Certification or higher.
- 35. Prior to the issuance of any construction permit, the Owner/Permittee shall provide documentation to the Planning reviewer of the Development Services Department demonstrating that an application for LEED certification has been submitted.
- <u>36.</u> Prior to the issuance of any building permit, the Owner/Permittee shall provide documentation to the Planning reviewer of the Development Services Department that demonstrates the continued progress in all review phases of the certification process.

#### CITY PLANNING AND COMMUNITY INVESTMENT REQUIREMENTS:

- 37. A site utility plan shall be submitted as part of the building plan set. Above ground utilities shall not be permitted to encroach onto the pedestrian urban trail pathway along Market Street and Market Creek Drive. Utility placement in these areas may be permissible if installed in subterranean or underground vaults that do not impede the free movement of pedestrians, or persons with disabilities.
- 38. Prior to issuance of the first construction permit, the applicant shall provide an interpretive drought-tolerant urban trail along the Market Street and Market Creek Drive project boundaries. The urban trail shall include artistic elements, landscaping, pedestrian-oriented lighting, and hardscape improvements that reflect the natural and Chollas Creek environments. This enhanced urban trail shall be in lieu of a trail system adjacent to the development. The interpretive urban trail final design shall be submitted as a Substantial Review process 2 (staff as the decision maker, appealable to the Planning Commission).

- 39. Water Use: Prior to issuance of building permits, working drawings shall be submitted to the City Manager for approval. Plumbing plans shall demonstrate that the project will achieve water savings by implementing the following measures to reduce water use to no more 83.25 gallons per day per person:
  - Toilets shall be high efficiency models (not exceed 1.28 gallons per flush);
  - Residential kitchen sink fixtures shall not exceed 2 gallons per minute;
  - Lavatories shall not exceed 1 gallon per minute;
  - Showerheads shall not exceed 1.8 gallons per minute; and,
  - Any dishwashers/washing machines provided by the developer shall meet US Environmental Protection Agency Watersense labeling requirements.

#### TRANSPORTATION REQUIREMENTS:

- 40. No fewer than 94 off-street automobile parking spaces (including one van accessible space and one space for United States Postal delivery vehicles), 5 motorcycle parking spaces, and 28 bicycle parking spaces with rack(s) shall be provided and maintained on the property at all times in the approximate location shown on the approved Exhibit A. Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department. A total of 1289 parking spaces must be maintained at all times, in the approximate locations shown on the approved Exhibit "A" for the remaining development (including the 94 spaces required for the proposed project.
- 41. Tandem parking spaces shall be assigned to the same dwelling unit.
- <u>42.</u> Facilities provided in the community building, including the multi-purpose room and kitchen, shall be utilized by residents of the facility only.
- 43. Prior to issuance of the first building permit, the applicant shall assure by permit and bond the construction of a traffic signal at the intersection of Euclid Avenue and SR-94 westbound ramp intersection, satisfactory to the City Engineer.
- 44. Prior to the issuance of the first building permit, the Owner/Permittee shall dedicate 4 feet along Market Street, satisfactory to the City Engineer.
- 45. Prior to the issuance of the first building permit, the Owner/Permittee shall assure by permit and bond the widening of Market Street to provide 37 feet centerline to curb and the construction of a minimum 7.5 wide non-contiguous sidewalk within an 11 foot parkway, as shown on the project's Exhibit "A," satisfactory to the City Engineer.
- <u>46.</u> Prior to the issuance of the first building permit, the Owner/Permittee shall assure by permit and bond the construction of a traffic signal at the intersection of Euclid Avenue and SR-94 westbound ramp intersection, satisfactory to the City Engineer.

- 47. Prior to the issuance of the first building permit, the Owner/Permittee shall record a Mutual Access Agreement among all affected parcels created by Vesting Tentative Map No. 396659 (pursuant to Condition No. 17 of PDP No. 582176), satisfactory to the City Engineer.
- 48. Prior to the issuance of the first building permit, the Owner/Permittee shall record a Shared Parking Agreement among parcels created by Vesting Tentative Map No. 396659, (pursuant to Condition No. 17 of PDP No. 582176), satisfactory to the City Engineer.
- 49. An 8-foot wide parkway shall be installed adjacent to curb along Market Creek Drive to include a 5-foot wide meandering sidewalk, satisfactory to the City Engineer.

#### **WASTEWATER REQUIREMENTS:**

- <u>50.</u> Prior to the Prior to the approval of ministerial permit, the Owner/Permittee shall record the private sewer easement agreement.
- <u>51.</u> The Owner/Permittee shall design and construct all proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.
- <u>52.</u> All proposed private sewer facilities located within a single lot are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.
- <u>53.</u> Prior to the issuance of any building permit, the Owner/Permittee shall abandon any unused sewer lateral.
- <u>54.</u> All onsite sewer facilities will be private.
- <u>55.</u> No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities.

#### WATER REQUIREMENTS:

- <u>56.</u> Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s) outside of any driveway, and the removal of all existing unused services, within the right-of-way adjacent to the project site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.
- <u>57.</u> Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Director of Public Utilities and the City Engineer.
- <u>58.</u> Prior to the issuance of any certificates of occupancy, all public water facilities shall be complete and operational in a manner satisfactory to the Director of Public Utilities and the City Engineer.

59. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Public water facilities, and associated easements, as shown on approved Exhibit "A" shall be modified at final engineering to comply with standards.

#### **GEOLOGY REQUIREMENTS:**

- <u>60.</u> The Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.
- <u>61.</u> The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

#### PARK AND RECREATION DEPARTMENT:

62. If at building permit issuance for the Trolley Residential Project, the Encanto Public Facilities Financing Plan has not been amended to include the Trolley Residential Project, then the Owner/Permittee shall pay an ad-hoc fee of \$660,656 in lieu of the park portion of the Encanto Development Impact Fee to satisfy the project's .56 acre population-based park requirement. These funds shall be placed into an interest bearing account for parks in the Encanto community.

#### **FACILITIES FINANCING:**

63. Prior to the issuance of the first building permit, a Development Impact Fee (DIF) of \$289,068.00 and a Regional Transportation Fee (RTCIP) of \$99,060.00 is required for this project.

#### **INFORMATION ONLY:**

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code §66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the City Council of the City of San Diego on [date and resolution number].

Permit Type/PTS Approval No.: Abandonment No. 717558, Planned Development Permit No. 648152, Site Development Permit No. 649661 (Amendment to PDP/SDP Nos. 582176 and 619562)

Date of Approval: [insert date]

| AUTHENTICATED BY THE CITY OF S<br>DEPARTMENT                                     | SAN DIEGO DEVELOPMENT SERVICES   |
|--|--|
| NAME<br>TITLE  |  |
| NOTE: Notary acknowledgment must be attached per Civil Code section 1189 et seq. |  |
|  | execution hereof, agrees to each and every condition of and every obligation of Owner/Permittee hereunder. |
|  | [NAME OF COMPANY] Owner/Permittee  |
|  | By<br>NAME<br>TITLE  |
|  | [NAME OF COMPANY] Owner/Permittee  |
|  | By<br>NAME<br>TITLE  |

NOTE: Notary acknowledgments must be attached per Civil Code

section 1189 et seq.

(R-INSERT)

## RESOLUTION NUMBER R-NUMBER ADOPTED ON DATE

WHEREAS, WEST SIDE CREEK LLC AND MARKET CREEK PARTNERS, LLC,
Owner/Permittee, filed an application with the City of San Diego for a PDP No. 648152, and
SDP No. 649661 (Amendment to PDP and SDP Nos. 582176 and 619562) to construct a 52-unit
affordable, residential development within multi-story buildings with basement parking known
as the Trolley Residential project, located at 4981 Market Street and 310 through 404 Euclid
Avenue, and legally described as Lot 1 of Brooks Subdivision Map No. 6506 and Parcels 1 and 2
of Parcel Map No. 18812 (and identified in Vesting Tentative Map No. 117302 as Lots 1 through
7 and Lot A), Southeastern San Diego Community Plan, Encanto Neighborhoods Planning Area,
in the RM-3-7 zone and Community Plan Implementation Overlay Zone Type "A"); and
WHEREAS, on February 25, 2010, the Planning Commission of the City of San Diego
considered PDP No. 648152, and SDP No. 649661 (Amendment to PDP and SDP Nos. 582176
and 619562), and pursuant to Resolution No. INSERT PLANNING COMM. RESOLUTION
NUMBER-PC voted to INSERT EITHER "recommend City Council approval of the permit" OR
"approved/denied the permit"; and

WHEREAS, the matter was set for public hearing on March 22, 2010, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to PDP No. 648152, and SDP No. 649661 (Amendment to PDP and SDP Nos. 582176 and 619562):

#### A. PLANNED DEVELOPMENT PERMIT FINDINGS:

### 1. The proposed development will not adversely affect the applicable land use plan.

The proposed project site is located within the Southeastern San Diego Community Plan area. The proposed project includes a 52 unit, affordable multi-family residential development with subterranean parking on a 1.84 acre site. It is part of the Village Center at Market Creek. The Village Center at Market Creek continues to transform the previously vacant, untended, and underutilized land along the Market Street and Euclid Avenue corridors into a vibrant community hub. It also provides opportunities for the increased use of public transit, as the Village Center includes the Euclid Avenue Trolley Station, a major bus transit center, along with a park and ride.

The Community Plan designates the subject property for Neighborhood Village at 15 to 44 dwelling units (DUs) per acre. The site would accommodate between 28 and 81 residential DUs, and the proposal to construct 52 DUs implements the recommendations of the Community Plan. The project's proximity to passive and active recreation opportunities, commercial services, job opportunities, public amenities and a major transportation corridor conforms to the Residential Element of the Community Plan and the City's General Plan.

The project will also help satisfy a variety of goals of the applicable land use plans. The project will increase the supply of affordable housing in the community within walking distance of the transit, shopping, and employment opportunities. Development of the property will not conflict with goals of the community plan relative to topography as the project site has been previously developed. Being determined the project is consistent with the General Plan and the Southeastern San Diego Community Plan, the proposed development will not adversely affect the applicable land use plan.

### 2. The proposed development will not be detrimental to the public health, safety, and welfare.

The proposed project is a 52 unit, LEED Certified, affordable multi-family residential development with subterranean parking on a 1.84-acre site. As part of the environmental review process, the project required the preparation of a drainage study, biology study, sewer study, geotechnical report and a sight line assessment to determine potential impacts to these issue areas. The project was also reviewed for consistency with the Final Environmental Impact Report (EIR) No. 106715 for the Fifth Amendment to the Central Imperial Redevelopment Plan which was certified by the Redevelopment Agency of the City of San Diego in 2009. The EIR adequately addressed the potential environmental impacts associated with the project and no new or additional mitigation measures or alternatives are required. Pursuant to California Environmental Quality Act Section 15162, no additional environmental documentation was required for this subsequent project. The permit prepared for this development includes various

conditions and referenced Exhibits of approval relevant to achieving project compliance with the regulations and applicable ordinance provisions of the City's Municipal Code in effect for this site; and that such conditions have been determined by the Decision Maker as necessary to avoid adverse impacts upon the health, safety, and general welfare. These conditions (referenced Exhibits) include limitations upon the extent and amount of site grading activities, minimum parking and landscaping requirements, and required public improvements. Therefore, the proposed project will not be detrimental to the public health, safety, and welfare.

### 3. The proposed development will comply with the regulations of the Land Development Code.

The proposed project is a 52 unit, LEED Certified, affordable multi-family residential development with subterranean parking on a 1.84-acre site. The project requires a Planned Development Permit (PDP) for three deviations to the building height, parking and the sign regulations as noted below: Deviations to the zone development regulations have been incorporated into the project design as noted below:

- 1. Building Height: The RM-3-7 zone limits building height to 40'-0" for the plumb measurement and 50'-0" for overall building height. The proposed structures would reach a height of 58'-3" where 40'-0" is required and 65'-11" where 50'-0" is required.
- 2. Parking: A total of 94 parking spaces are provided where 98 are provided.
- 3. Signage: The project proposes to maintain 2, 6'-0" high, 48-square-foot directional signs within the corner visibility area where structures over three feet in height are not allowed.

The purpose of the PDP is to provide flexibility in the application of development regulations for projects where strict application of the base zone regulations would result in a less desirable project. The intent of the regulations is to accommodate to the greatest extent possible, an equitable balance of development types, intensities, styles, site constraints, project amenities, public improvements, community and City benefits. Deviations shall be permitted only if it is shown that similar situations exists within the surrounding neighborhood, or that the deviations to the regulations are beneficial to the neighborhood because of unique circumstances pertaining to the subject property.

The property contains site constraints that are not of the making of the applicant. The site is an infill development located adjacent to established developments including commercial, retail and industrial uses within multi-story structures and the San Diego Trolley Line tracks at the rear. The developable area is significantly reduced by approximately one third of the parcel area due to the existence of Market Creek Driveway, a 28-foot wide right of way, and a 37-foot wide sloped embankment adjacent to west of the driveway. A segment of Las Chollas Creek, conserved within an open space easement, traverses the entire site from north to south, further reducing the usable development area, and, creating potential additional site constraints in terms of buffer requirements.

The 2 buildings proposed for the residential units exceed the allowable height limit. This deviation would allow for loft and chimney areas within the units and, facilitate the development called for in the community plan. The overheight condition would be mitigated by the extensive use of architectural elements including color treatments, building façade offsets, recessed balconies and porches and varied roof lines. Fourteen street trees are proposed along both frontages. These measures serve to provide relief and definition, avoiding a vertical straight line wall effect.

The project would provide a total of 94 parking spaces where 98 are required, however, each of the units would be provided with either one tandem, two side by side standard spaces or one standard space. The provision of 94 parking spaces allows cars to park underneath the residential structure, which allows for increased security for the resident's vehicles, as well as increased open and common space on site. Requiring the 4 additional spaces would result in either a loss of two affordable housing units, or a reduction in the number of bedrooms.

Staff determined that the two existing directional signs located within the corner visibility areas at the intersection of Market Street and Market Creek Driveway, require deviations. The signs are 6'-0" in height and 48 square feet in area and are similar in copy area ("Joe and Vi, Jacobs Center delivery entrance"). In 2005, the sign located at the west corner was permitted legally pursuant to the approved sign guidelines when the property was zoned commercial. The current residential zone designation renders this sign previously conforming as such signs would not be permitted in a residential zone. Previously conforming signs must be removed 7 years from the date of installation. The second was installed without a permit. The applicant proposes to maintain both signs. Staff can support this deviation to allow maintenance of both signs. The signs alert citizens that Market Creek Driveway is a secondary access street for the Market Creek Plaza development to the south and the primary access to the Joe and Vi Conference Center. The primary entrance to Market Creek Plaza is on Euclid Avenue. Staff required a site line assessment to ensure visibility is not impaired on a right hand turn onto Market Street due to the placement of the signs. Additionally, the signs are located at a signalized intersection where traffic flow is controlled.

The Planned Development Permit ordinance contains criteria for development design to evaluate proposed development in conjunction with the required findings. The project incorporates each of these measures as summarized below:

1. Development design should be comprehensive and should demonstrate the relationships of the development on site with off-site developments. The overall development design for the Trolley Residential project is comprehensive, taking into mind the bulk, scale and character of neighboring uses and development. The adjacent commercial uses include multi-story buildings. The proposed multi-family development is in close proximity to civic uses including a public library, elementary schools, and the Harriet Tubman community center. The City of Villages Strategy of the General Plan focuses growth into high intensity activity centers that are pedestrian oriented and linked to a regional transit system.

- 2. The scale of the project should be consistent with the neighborhood. The project site is comprised of two multi-story residential buildings and one story community building for the residents. Surrounding developments include the multi-story Jacob's Foundation/Office Building and other multi-story residential developments. The proposed project is the first submitted project that would implement the recently amended Central Imperial-Imperial Redevelopment Plan's goals and recommendations to facilitate village, mixed use and higher density residential developments. Associated rezones accompanied with this endeavor included the subject parcels across the Market Street to the north and along Euclid Avenue north. These sites are slated for mixed use developments at a density and intensity similar to what is envisioned within the Market Creek Plaza development.
- 3. Projects should avoid repetitious development patterns that are inconsistent with the goals of the land use plan and should reduce the appearance of actual or apparent bulk. Buildings should be well integrated into, oriented towards and relate to the topographic features of the site. The project buildings would avoid monotonous repetition of development patterns through the use of articulated roof lines with varying heights, pitches, and overhangs. Building offsets, porches, and balconies also serve to break up the building mass and add visual interest and interactivity. Roof and building materials would complement each other. Natural tones would be utilized to blend with the natural environment. The units, outdoor recreation areas and passive overlook areas, have been designed to orient towards Chollas Creek as recommended in the Chollas Creek Enhancement Plan.
- 4. Landscaping should be use to the greatest extent possible to soften the appearance of blank walls and buildings edges. Landscaped areas are provided to soften the appearance of blank spaces in walls and to screen retaining walls. Streetscape planting would be utilized to provide a buffer from the street and to create a pleasant pedestrian walkway. A significant project feature is the modification of the sidewalk areas along both frontages. The project would provide for an enhanced urban trail with interpretive drought-tolerant urban trail to include artistic elements, landscaping, pedestrian-oriented lighting, and hardscape improvements that reflect the natural and Chollas Creek environments.

The proposed deviations to the building height, parking and sign regulations are minor in scope. The site contains unique circumstances not of the making of the applicant which impose design constraints. Project implementation requires traffic improvements at the intersection of Euclid Avenue and Interstate 94 and within the public right-of-way. The deviations would facilitate the new affordable, residential development consistent with the currently allowed density range of the community plan, thereby providing additional housing stock for the community in a quality residential development that exceeds the minimum open space requirements, provides for enclosed parking for the residents and project amenities. Project implementation requires the installation of right-of-way improvements including a 4-foot dedication along Market Street to widen the existing sidewalk and to provide for a future median, as well as an enhanced urban trail along both Market Street and Market Creek Driveway in lieu of an on-site trail amenity, to fulfill a recommendation of the Chollas Creek Enhancement Plan. The project would also install a traffic signal at the intersection of Euclid Avenue and Interstate 94 on-ramp to facilitate access to the freeway. Staff analysis is that the requested minor deviations

are consistent with the PDP regulations and would result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the zone. The project provides amenities, public improvements, and community and City benefits.

### 4. The proposed development, when considered as a whole, will be beneficial to the community.

The proposed 52-unit affordable housing project would be located within the Southeastern San Diego Community Plan, Encanto Neighborhoods Planning Area. The Community Plan designates the subject property for Neighborhood Village at 15 to 44 dwelling units (DUs) per acre. The 1.84-acre site could accommodate between 28 and 81 residential DUs. Therefore, the proposal to construct 52 dwelling units implements the Community Plan's recommended density range. The proposed project is a 100 percent affordable multi-family residential development serving residents earning 30-60 percent of the Area Median Income (\$66,100 for a family of four, HUD 2009). The site is part of the mixed use Village Center at Market Creek. This first phase of residential evelopment in the Village Center continues the transformation of the previously vacant, untended, and underutilized land along the Market Street and Euclid Avenue corridors into a vibrant community hub. This location also provides opportunities for the increased use of public transit, as the Village Center includes the Euclid Avenue Trolley Station, a major bus transit center, along with a park and ride.

The project as proposed implements the goals and objectives embodied in the Southeastern San Diego Community Plan and the General Plan which places an emphasis on new residential development which contributes to increased walkability and the provision of additional housing opportunities in close proximity to local employment centers as well as along transit corridors. The development complies with the requirements of the underlying zone as allowed with a Planned Development Permit. The project is consistent with all of the requirements of the Community Plan Implementation Overlay Zone. The Trolley Residential development is a part of the Village Center at Market and Euclid project area and the first project subsequent to the City Council approval of the Fifth Amendment to the Central Redevelopment Plan for various sites in the community which included rezones, Land Development Code revisions, and community plan amendments. The proposed project implements the anticipated residential component to the pilot village, facilitating the vision to revitalize the urban mixed-use neighborhood with a strong transit and pedestrian orientation. Therefore, the proposed development, when considered as a whole, will be beneficial to the community.

## 5. The proposed deviations are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

The proposed project is a 52 unit, LEED Certified, affordable multi-family residential development with subterranean parking on a 1.84-acre site. The proposed deviations to the building height, parking and sign regulations are minor in scope. Project implementation requires traffic improvements at the intersection of Euclid Avenue and

Interstate 94 and within the public right-of-way. The deviations would facilitate the new affordable, residential development consistent with the currently allowed density range of the community plan, thereby providing additional housing stock for the community in a quality residential development that exceeds the minimum open space requirements. provides for enclosed parking for the residents and project amenities. Project implementation requires the installation of right-of-way improvements including a 4-foot dedication along Market Street to widen the existing sidewalk and to provide for a future median, as well as an enhanced urban trail along both Market Street and Market Creek Driveway in lieu of an on-site trail amenity, to fulfill a recommendation of the Chollas Creek Enhancement Plan. The project would also install a traffic signal at the intersection of Euclid Avenue and Interstate 94 on-ramp to facilitate access to the freeway. Excess open space areas would be provided for the residences within private balconies and porches, and within active and passive open spaces dispursed throughout the site (16,6304 square feet where 9880 square feet is required). The development includes a leasing facility with a computer room, and a community building for the residents. The project provides amenities, public improvements, and community and City benefits. Staff analysis is that the requested minor deviations are consistent with the PDP regulations and would result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the zone.

#### **B. SITE DEVELOPMENT PERMIT FINDINGS:**

### 1. The proposed development will not adversely affect the applicable land use plan.

The proposed project site is located within the Southeastern San Diego Community Plan area. The proposed project includes a 52 unit, affordable multi-family residential development with subterranean parking on a 1.84 acre site. It is part of the Village Center at Market Creek. The Village Center at Market Creek continues to transform the previously vacant, untended, and underutilized land along the Market Street and Euclid Avenue corridors into a vibrant community hub. It also provides opportunities for the increased use of public transit, as the Village Center includes the Euclid Avenue Trolley Station, a major bus transit center, along with a park and ride.

The Community Plan designates the subject property for Neighborhood Village at 15 to 44 dwelling units (DUs) per acre. The site would accommodate between 28 and 81 residential DUs, and the proposal to construct 52 DUs implements the recommendations of the Community Plan. The project's proximity to passive and active recreation opportunities, commercial services, job opportunities, public amenities and a major transportation corridor conforms to the Residential Element of the Community Plan and the City's General Plan.

The project will also help satisfy a variety of goals of the applicable land use plans. The project will increase the supply of affordable housing in the community within walking distance of the transit, shopping, and employment opportunities. Development of the property will not conflict with goals of the community plan relative to topography as the project site has been previously developed. Being determined the project is consistent

with the General Plan and the Southeastern San Diego Community Plan, the proposed development will not adversely affect the applicable land use plan.

### 2. The proposed development will not be detrimental to the public health, safety, and welfare.

The proposed project is a 52 unit, LEED Certified, affordable multi-family residential development with subterranean parking on a 1.84-acre site. As part of the environmental review process, the project required the preparation of a drainage study, biology study, sewer study, geotechnical report and a sight line assessment to determine potential impacts to these issue areas. These reports concluded that the project would not impact environmentally sensitive lands or create geotechnical, flood or visibility hazards. The project was also reviewed for consistency with the Final Environmental Impact Report (EIR) No. 106715 for the Fifth Amendment to the Central Imperial Redevelopment Plan which was certified by the Redevelopment Agency of the City of San Diego in 2009. The EIR adequately addressed the potential environmental impacts associated with the project and no new or additional mitigation measures or alternatives are required. Pursuant to California Environmental Quality Act Section 15162, no additional environmental documentation was required for this subsequent The permit prepared for this development includes various conditions and referenced Exhibits of approval relevant to achieving project compliance with the regulations and applicable ordinance provisions of the City's Municipal Code in effect for this site; and that such conditions have been determined by the Decision Maker as necessary to avoid adverse impacts upon the health, safety, and general welfare. These conditions (referenced Exhibits) include limitations upon the extent and amount of site grading activities, minimum parking and landscaping requirements, and required public improvements. Therefore, the proposed project will not be detrimental to the public health, safety, and welfare.

### 3. The proposed development will comply with the applicable regulations of the Land Development Code.

The proposed project is a 52 unit, affordable multi-family residential development with subterranean parking on a 1.84-acre site. The project is consistent with all of the underlying zone regulations with the exception of building height, parking and signage. The deviations to the zone development regulations have been incorporated into the project design as noted below:

- 1. Building Height: The RM-3-7 zone limits building height to 40'-0" for the plumb measurement and 50'-0" for overall building height. The proposed structures would reach a height of 58'-3" where 40'-0" is required and 65'-11" where 50'-0" is required.
- 2. Parking: A total of 94 parking spaces are provided where 98 are provided.
- 3. Signage: The project proposes to maintain 2, 6'-0" high, 48-square-foot directional signs within the corner visibility area where structures over three feet in

height are not allowed.

The property contains site constraints that are not of the making of the applicant. The site is an infill development located adjacent to established developments including commercial, retail and industrial uses within multi-story structures and the San Diego Trolley Line tracks at the rear. The developable area is significantly reduced by approximately one third of the parcel area due to the existence of Market Creek Driveway, a 28-foot wide right of way, and a 37-foot wide sloped embankment adjacent to west of the driveway. A segment of Las Chollas Creek, conserved within an open space easement, traverses the entire site from north to south, further reducing the usable development area, and, creating potential additional site constraints in terms of buffer requirements. The development has been designed to comply with all of the Community Plan Implementation Zone and Planned Development Permit regulations and design standards as well as the Chollas Creek Enhancement Plan. As such, the development complies with the applicable regulations of the Land Development Code.

### C. <u>SITE DEVELOPMENT PERMIT FINDINGS: SUPPLEMENTAL</u> FINDINGS-ENVIRONMENTALLY SENSITIVE LANDS:

1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

The Trolley Residential Project consists of 52 affordable dwelling units on a 1.84-acre site developed with a commercial building and surface parking lot which would be demolished for the proposed construction. The site, Lot 7, is a part of the previously approved *Market Creek Plaza Project* (Project No. 99-0156), a 20-acre parcel consisting of 7 lots currently developed with commercial, retail, civic and office uses. The original development required a Resource Protection Ordinance Permit for potential impacts to a Special Flood Hazard Area as a segment of Chollas Creek traverses the site from north to south. The channel has been restored and enhanced in accordance with previous mitigation measures which required the placement of natural cobble bottom and natural slopes, hydroseeded with native species to retain the natural appearance of drainage areas to the greatest extent feasible.

The biological survey conducted by REC Consultants (January 2010) for the Trolley Residential Project assessed the impacts associated with development of Lot 7 for the 52-unit residential structure. One sensitive habitat was found to occur onsite; southern riparian scrub (0.37 acres), a wetland habitat. No sensitive plant or animal species were observed onsite. The project will impact 1.3 acres of developed and landscaped Tier IV land onsite. No mitigation for impacts to developed and landscaped land will be required. The biological survey concluded that the placement of the proposed structure would not impede within the existing 30-foot buffer adjacent to the waterway, established pursuant to the previous mitigation measures.

No development is proposed within the special flood hazard area that is located on the premises. The development does not adversely impact the floodway nor the flood fringe. All runoff is proposed to be captured in appropriate storm drain conveyances and runoff velocities are proposed to be sufficiently attenuated to avoid erosion. Therefore, the site

is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

The Trolley Residential Project consists of 52 affordable dwelling units on a 1.84-acre site developed with a commercial building and surface parking lot which would be demolished for the proposed construction. The site, Lot 7, is a part of the previously approved *Market Creek Plaza Project* (Project No. 99-0156), a 20-acre parcel consisting of 7 lots currently developed with commercial, retail, civic and office uses and a restored segment of Chollas Creek. All proposed development is proposed to be located outside a100-year floodplain and 100-year floodway. A Geotechnical Investigation (Geosyntec, December 2008) has been prepared which found no known (mapped) "active" faults located crossing or in the immediate vicinity of the project site. The closest regional fault considered capable of producing earthquakes of magnitude 4 or greater (Petersen et al., 1996) the Rose Canyon fault zone, located 4.5 km to northwest. The site is not located within a fault rupture hazard zone as defined by the Fault Rupture Hazard Zones in California study and the potential for fault ground rupture at the project site is considered to be low.

The geotechnical report found the probability of soil liquefaction at the project site to be very low. Due to the proposed installation of the basement walls and or/retaining walls, the potential for slope instability at the site was found to be negligible. Based on the physiographic setting of this site, the distance to the ocean, and the elevation of the site above Chollas Creek, the potential for flooding from the river channel and seismically-induced seiches and tsunamis was found to be very low. All runoff is proposed to be captured in appropriate storm drain conveyances and runoff velocities are proposed to be sufficiently attenuated to avoid erosion. Any additional drainage, fire safety, and grading/geologic conditions for the development will be incorporated into the design of the proposed project and conditions prior to construction permit issuance. Therefore, the proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

The subject 20-acre parcel consists of 7 lots and is not located adjacent to off-site environmentally sensitive lands. The proposed redevelopment of the 1.84-acre lot adjacent to Market Street will not impact environmentally sensitive lands.

4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

The subject 20-acre parcel consists of 7 lots. One lot, Lot 7, is proposed for redevelopment for the construction of a 52-unit residential development. The site is within the City's Multiple Species Conservation Progam (MSCP) Subarea Plan, but not

within the Multiple Habitat Planning Area. The proposed development will not impact any environmentally sensitive lands on or off site. As such, the proposed development will be consistent with the MSCP.

5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

The subject 20-acre parcel consists of 7 lots. One lot, Lot 7, is proposed for redevelopment for the construction of a 52-unit residential development. The site is located within the Southeastern San Diego Community Planning Area. The project site is located more than 5 miles inland from the a public beach or local shoreline, therefore, the proposed development will not contribute to the erosion of public beaches or adversely affect local shoreline sand supply.

6. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

The subject 20-acre parcel consists of 7 lots. One lot, Lot 7, is proposed for redevelopment for the construction of a 52-unit residential development. On April 28, 2009, Environmental Impact Report (EIR) No. 106715 for the Fifth Amendment to the Central Imperial Redevelopment Plan was certified by the Redevelopment Agency of the City of San Diego. The EIR adequately addressed the potential environmental impacts associated with the project and no new or additional mitigation measures or alternatives are required.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and PDP No. 648152, and SDP No. 649661 (Amendment to PDP and SDP Nos. 582176 and 619562) to WEST SIDE CREEK LLC AND MARKET CREEK PARTNERS, LLC, Owner/Permittee, under the terms and conditions set forth in the permit attached hereto and made a part hereof. APPROVED: JAN GOLDSMITH, City Attorney

By NAME Deputy City Attorney

ATTY/SEC. INITIALS
DATE
Or.Dept:Clerk
R-INSERT
Form=permitr.frm(61203wct)
Reviewed by Sandra Teasley

| RESOLUTION NUMBER R   |  |
|-----------------------|--|
| DATE OF FINAL PASSAGE |  |

## A RESOLUTION SUMMARILY VACATING SEWER EASEMENT NO. 717558

WHEREAS, California Streets and Highways Code section 8330 *et seq*. San Diego Municipal Code section 125.1001 *et seq*. provide a procedure for the summary vacation of public easements by City Council resolution; and

WHEREAS, it is proposed that the Easement Abandonment No. 717558 be vacated; and

WHEREAS, (1)The easement has not been used for the purpose for which it was dedicated or acquired for 5 consecutive years immediately proceeding the proposed abandonment; and

WHEREAS, the easement does not contain public utility facilities; and

WHEREAS, under Charter Section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body, a public hearing was required by law implicating due process rights of individuals affected by the decision, and the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the matter was set for public hearing on [-----], testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that with respect to the

10-foot wide sewer easement located within the rear portion of the property identified as that certain sewer easement granted to the City of San Diego, over the southerly 10.00 feet of Lot 1 of Brooks Subdivision, Map No. 6506, in the City of San Diego, County of San Diego, State of California, according to Map thereof filed in the Office of the County Recorder of San Diego County October 15, 1969, the Council finds that:

- (a) There is no present or prospective use for the easement, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated. The existing 10 foot wide sewer easement is proposed to be abandoned for the purpose of constructing a 52-unit residential development on the site. The existing easement contains active facilities, but is proposed to be privatized and maintained by the affected property owners. As such, there is no present or prospective use for the easement, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated.
- (b) The public will benefit from the abandonment through improved utilization of the land made available by the abandonment. The existing 10 foot wide sewer easement is proposed to be abandoned for the purpose of constructing a 52-unit residential development on the site. The existing easement contains active facilities, but is proposed to be privatized and maintained by the affected property owners. The abandonment will facilitate the inclusion of additional affordable housing for the community. This segment of the sewer system would no longer be maintained by the City of San Diego also would result in reduced liability to the City. Therefore, the public will benefit from the action through the improved utilization of the land.

- (c) The abandonment is consistent with any applicable land use plan. The existing 10 foot wide sewer easement is proposed to be abandoned for the purpose of constructing a 52-unit residential development on the site. The existing easement contains active facilities, but is proposed to be privatized and maintained by the affected property owners. The abandonment is consistent with the Southeastern San Diego Community Plan, Encanto Neighborhoods Planning Area, recently amended by the City Council in June 2009, which identifies residential development at this location and designates the site for Residential Village use.
- (d) The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by this abandonment or the purpose for which the easement was acquired no longer exists. The existing 10 foot wide sewer easement is proposed to be abandoned for the purpose of constructing a 52-unit residential development on the site. The existing easement contains active facilities, but is proposed to be privatized and maintained by the affected property owners. The City would not maintain a privately owned and maintained facility. Therefore, the public facility or purpose for which the easement was originally acquired will not be detrimentally affected by this abandonment or the purpose for which the easement was acquired no longer exists.

BE IT FURTHER RESOLVED, that the Easement Abandonment located within the rear, southerly section of the property within a 10-foot wide area, in connection with Planned Planned Development Permit No. 648152, and Site Development Permit No. 649661 (Amendment to PDP and SDP Nos. 582176 and 619562), as more particularly described in the legal description marked as Exhibit "A," and shown on Drawing No. [INSERT Drawing No.], marked as Exhibit "B," which are by this reference incorporated herein and made a part hereof, is ordered vacated.

[OPTIONAL PARAGRAPH <BE IT FURTHER RESOLVED, that said easement abandonment is conditioned upon [INSERT condition]. In the event this condition is not

**ATTACHMENT 6** 

completed within three years following the adoption of this resolution, then this resolution shall

become void and be of no further force or effect.

BE IT FURTHER RESOLVED, that the Development Services Department shall record

a certified copy of this resolution with attached exhibits, attested by the City Clerk under seal, in

the office of the County Recorder.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

[Attorney]

Deputy City Attorney

[Initials]:[Initials]

[Month]/[Day]/[Year]

Or.Dept:[Dept]

JO: [INSERT JO No.]

Drawing No. [INSERT Drawing No.]

R-Error! Reference source not found.

Summary Easement Abandonment 4-13-09-Form.doc

# ENVIRONMENTAL SECONDARY STUDY Trolley Residential Development

PROJECT TITLE:

Trolley Residential Development

APPLICANT:

Jacobs Center for Neighborhood Innovation

PROJECT LOCATION:

The project site is located at 4981 Market Street, San Diego, CA 92102 (assessor Parcel Numbers 548-020-2400) and is in the Encanto neighborhood of the Southeastern San Diego Community Planning Area (SSDCPA). The site is south and west of the intersection of Market Street and Euclid Avenue and east of Market Creek Place. The project site is located within the City of San Diego and the Central Imperial Redevelopment Project Area (CIRPA). Regional access in the project area is provided by Interstate 805 (I-805), Martin Luther King Jr. Freeway (SR 94), Euclid Avenue, and Market Street.

PROJECT DESCRIPTION:

The proposed project is to construct a total of 52 multi-family affordable dwelling units on a 1.65 acre site (1.84 acres gross). The current site consists of one developed lot. This project is part of the larger "Village Center at Euclid and Market" project, adopted by the San Diego City Council in 2004 as one of five Pilot Village demonstration projects for the City of Villages strategy of smart growth in San Diego. The site is located within the Southeastern San Diego Community Plan Implementing Overlay Zone A and is zoned RM-3-7.

PROJECT SETTING: The site is comprised of disturbed land, previously used for light industrial purposes. It is immediately west of the San Diego Metropolitan Transit System Euclid Avenue trolley station and bus depot and just north of the Market Creek Plaza commercial development.

ENVIRONMENTAL ANALYSIS: The analysis, mitigation measures, and findings for the previous EIR (Final Environmental Impact Report, Fifth Amendment to the Central Imperial Redevelopment Plan. City of San Diego Project Number 106715, State Clearinghouse No. 2005031065/19900102; Final Mitigated Negative Declaration for Market Creek Plaza - Project No. 117302 [Vesting Tentative Map No. 396659, Planned Development Permit No. 582176 and Site Development Permit No. 619562 (Amendment to Project No. 99-0156) (2009)]; Final Mitigated Negative Declaration for Market Creek Plaza- Project No. 99-0156 (1999)) remain applicable to the proposed activity. See Attached Secondary Study Checklist for details.

MITIGATION, MONITORING AND REPORTING PROGRAM: Changes to the mitigation measures contained in the previous EIR are not required for implementation of the proposed activity.

DETERMINATION: Based on environmental analysis contained in this Secondary Study, the proposed activity will not have any significant effect on the environment other than as identified in the previous EIR, and there is no additional information or data available regarding environmental impacts identified in the previous EIR. Therefore, a negative declaration, subsequent environmental impact report, supplement to an environmental impact report, or an addendum to environmental impact report will not be required and will not be prepared.

Signature of Preparer - Christina J. Willis, Chief Planner, Ecology and Environment Inc.

February 10, 2010

Date

#### 1.0 INTRODUCTION

The proposed Trolley Residential Project is located within the Market Creek Plaza Project in the Encanto Neighborhood of the Southeastern San Diego Community. Development of a mixed use project including retail, office, and community uses, as well as improvements to Chollas Creek on the Market Creek Plaza site was originally approved by City Council in September 1999.

In February 2004, the San Diego City Council selected the Village Center at Euclid and Market (Village Center) proposal to be a "Pilot Village" under the Strategic Framework Element of the General Plan. Market Creek Plaza makes up a portion of the Village Center at Euclid and Market, which consists of several distinct development proposals, clustered around the intersection of Euclid Avenue and Market Street. The Trolley Residential site is located within the Village Center area and would contain 52 of the 822 multi-family homes proposed within the Central Imperial Redevelopment Planning area.

In April 2009, the San Diego City Council adopted a Fifth Amendment to the Central Imperial Redevelopment Plan (Fifth Amendment) in order to facilitate the village type development policies of the General Plan in the Southeastern San Diego and Skyline-Paradise Hills Community Plans (Ordinance No. O-19859). The amendment reflected certain land use planning changes affecting the Central Imperial Redevelopment Project area (Redevelopment Project), including the addition of a Village/Mixed Use Element to the Southeastern San Diego Community Plan and a Mixed Use Element to the Skyline-Paradise Hills Community Plan, thereby allowing mixed use and higher density development in three areas, one of which being the Village center at Market and Euclid.

The amendment also added a Community Plan Implementation Overlay zone (CPIOZ) that would be applicable within the areas designated by the Village/Mixed Use Element in the Southeastern San Diego Community Plan and the Mixed Use Element in the Skyline-Paradise Hills Community Plan. The CPIOZ incorporated supplemental development regulations that are applicable to properties within this zone, in addition to the base zone development regulations for projects that qualify for ministerial processing and Design Guidelines that are applicable to projects that require a discretionary permit (Resolution No. R-304858)

The San Diego City Council certified the Final Environmental Impact Report for the Fifth Amendment to the Central Imperial Redevelopment Plan (Project No. 106715, State Clearinghouse No. 2005031065/199002027), which assessed the environmental impacts potentially resulting from implementation of the Redevelopment Plan. City Council also adopted the associated planning and zoning actions, adopted certain Findings of Fact <sup>1</sup>; adopted the Statement of Overriding Considerations <sup>2</sup>; and, the Mitigation, Monitoring and Reporting Program <sup>3</sup> (Resolution No. R-304857).

The area included in the Village at Market and Euclid Pilot Village has been the subject of two prior development proposals. In 1999, City Council approved Resource Protection Ordinance Permit (RPO)/Southeastern San Diego Planned District Permit (SESPD) No. 99-0156 to rezone the Market Creek Plaza Site from I-1 to CT-2 and allow construction of a mixed use development. This development was

<sup>&</sup>lt;sup>1</sup> On file as Document No. RR-304857-1 in the office of the San Diego City Clerk.

<sup>&</sup>lt;sup>2</sup> On file as Document No. RR-304857-2 in the office of the San Diego City Clerk.

<sup>&</sup>lt;sup>3</sup> On file as Document No. RR-304857-3 in the office of the San Diego City Clerk.

addressed in Final Mitigated Negative Declaration No. 99-0156, certified and adopted by the San Diego City Council on September 28, 1999, for the Market Creek Plaza Project.

In 2009, the San Diego Planning Commission approved a Vesting Tentative Map (VTM), Planned Development Permit (PDP) No. 582176 and Site Development Permit (SDP) No. 619562 that allowed subdividing the Market Creek Plaza site into 8 lots. The PDP and the SDP amended the existing Resource Protection Ordinance Permit/Southeastern San Diego Planned District Permit No. 99-0156, approved in 1999 for the Market Creek Plaza Site. Final Mitigated Negative Declaration No. 117302, certified and adopted by the San Diego Planning Commission on January 29, 2009, evaluated impacts associated with these discretionary actions.

The Final EIR for the Fifth Amendment to the Central Imperial Redevelopment Project, the Final Mitigated Negative Declaration for Market Creek Plaza, and the Final Mitigated Negative Declaration for the Market Creek Plaza VTM are referred to as the "Previous EIR" for the Trolley Residential Development. This Secondary Study, will focus solely on determining the potential environmental impacts of completing the Trolley Residential portion of the Village Center development as analyzed in the previous EIR.

A review of the Previous EIR revealed that the conditions within the project site remained unchanged since approval of the prior project. Because the proposed development would not substantially change from that addressed in the previous EIR, the analyses and mitigation measures within those previous environmental documents remain applicable to the proposed project.

#### 1.1 Environmental Review

This Secondary Study has been prepared in compliance with the requirements for an Initial Study according to the State Guidelines for the implementation of the California Environmental Quality Act (CEQA) (California Administrative Code, Section 15000 et. seq.). The purpose of this study is to document whether or not any additional environmental review is required for approval of the proposed Trolley Residential project under State CEQA Guidelines Sections 15162, 15163, and 15164.

The proposed Trolley Residential project, as well as activities that implement the project, have been addressed by the following environmental documents that were prepared prior to this Secondary Study and are hereby incorporated by reference:

- Final Environmental Impact Report, Fifth Amendment to the Central Imperial Redevelopment Plan.
  City of San Diego Project Number 106715, State Clearinghouse No. 2005031065/19900102. This
  Final EIR evaluated impacts associated with nine distinct redevelopment activities, including the
  Trolley Residential project, and Community Plan Amendments and associated rezones.
- 2. Final Mitigated Negative Declaration No. 117302, certified and adopted by the San Diego Planning Commission on January 29, 2009, which evaluated impacts associated with a Vesting Tentative Map, Planned Development Permit (PDP) No. 582176 and Site Development Permit (SDP) No. 619562 that allowed the subdivision of the Market Creek Plaza site into 8 lots. The PDP and the SDP amended the existing Resource Protection Ordinance Permit/Southeastern San Diego Planned District Permit No. 99-0156, approved in 1999 for the Market Creek Plaza Site.

3. Final Mitigated Negative Declaration No. 99-0156, certified and adopted by the San Diego City Council on September 28, 1999, for the Market Creek Plaza Project. City Council also approved Resource Protection Ordinance Permit/Southeastern San Diego Planned District Permit No. 99-0156 for the project. The mitigated negative declaration evaluated impacts associated with construction of a mixed use project including retail, office, community uses, as well as improvements to Chollas Creek through the property. The project rezoned the site from I-1 to CT-2.

These documents represent the most recent and comprehensive environmental analysis pertaining to the project area, and are referred to in the Environmental Secondary Study as the "previous EIR".

### 1.2 Purpose

In accordance with Sections 15162, 15163 or 15164 of the State CEQA Guidelines, the purpose of this Secondary Study is to:

- 1. Provide the City of San Diego with information to use as the basis for deciding whether a Negative Declaration, a Subsequent EIR, a Supplemental EIR or an Addendum to an EIR is required for a project;
- 2. Enable the City of San Diego to modify a project, mitigating adverse impacts, thereby enabling the activity to qualify for a Negative Declaration;
- 3. Focus the effects found to be significant, identify effects found not to be significant and explain the reasons for determining potentially significant effects would not be significant;
- 4. Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment;
- 5. Eliminate unnecessary environmental documents; and,
- 6. Determine whether the previously prepared EIR could be used for a project.

Based on the results of the Secondary Study, one of the following findings must be made by the City of San Diego.

- 1. There is no substantial evidence that the proposed activity or any of its aspects may cause a significant effect on the environment. Therefore, a Negative Declaration shall be prepared.
- 2. The proposed activity will involve significant environmental impacts, but such environmental impacts are clearly mitigated to a point where no significant environmental effects will occur. Therefore, a mitigated Negative Declaration shall be prepared.
- 3. The proposed activity will involve new significant environmental impacts or new information of substantial importance not considered in the previous EIR. Therefore, a Supplement to the previous EIR shall be prepared.

- 4. The environmental impacts of the proposed project will involve new significant environmental impacts, or there is new information or data of substantial importance but only minor changes are necessary to make the previous EIR adequate. Therefore, a Supplement to the previous EIR shall be prepared.
- 5. The proposed project will require only minor technical changes or additions to make the previous EIR for the activity adequate, and such changes do not raise important new issues about the significant effects on the environment. Therefore, an Addendum to the previous EIR shall be prepared.
- 6. The environmental impacts of the proposed project are essentially the same as those addressed in the previous EIR, and there is no additional information or data available requiring supplementation of the previous EIR; therefore, the City of San Diego shall make the following findings and determinations:
  - (a) No substantial changes are proposed in the proposed project, or with respect to the circumstances under which the project is to be undertaken, which will require important revisions in the previous EIR, and no new information of substantial importance to the project has become available, due to the involvement of new significant environmental impacts not covered in the previous EIR;
  - (b) No Negative Declaration, or additional Subsequent EIR, or Supplement or Addendum to the EIR is necessary or required; and
  - (c) The proposed project will have no significant effect on the environment, except as identified and considered in the previous EIR.

## 2.0 Summary of Findings

The environmental review documented by this Secondary Study finds as follows with respect to the proposed Trolley Residential project:

- 1. No substantial changes are proposed in the previous EIR, or with respect to the circumstances under which the Project is to be undertaken, as a result of the proposed activity which would require important revisions to the previous EIR for the Project.
- 2. No Negative Declaration, Subsequent EIR or Supplement or Addendum to an EIR is necessary or required; and,
- 3. The development of the site will have no significant effect on the environment, except as identified and considered in the previous EIR for the Project.

THE ORIGINAL OF THIS DOCUMENT
WAS RECORDED ON MAY 29, 2009
DOCUMENT NUMBER 2009-0287604
DAVID L. BUTLER, COUNTY RECORDER
SAN DIEGO COUNTY RECORDER'S OFFICE
TIME: 10:10 AM

### RECORDING REQUESTED BY

CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-7162

PLANNED DEVELOPMENT PERMIT NO. 582176/SITE DEVELOPMENT PERMIT NO. 619562

(AMENDING RESOURCE PROTECTION ORDINANCE/SOUTHEASTERN SAN DIEGO PLANNED DISTRICT PERMIT NO. 99-0156)

## MARKET CREEK PLAZA PROJECT NO. – 117302 PLANNING COMMISSION [MMRP]

This Planned Development Permit No. 582176/Site Development Permit No. 619562 (Amendment to Resource Protection Ordinance/Southeastern San Diego Planned District Permit No. 99-0156) is granted by the Planning Commission of the City of San Diego to WEST SIDE CREEK LLC AND MARKET CREEK PARTNERS, LLC, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 103.1700, 126.0604 and 126.0605. The 20.49-acre site is located at 404 Euclid Avenue, at the intersection of Euclid Avenue and Market Street, in the CT-2 Zone of the Southeastern San Diego Planned District in the Encanto Neighborhoods Community Plan. The project site is legally described as Lot 1 of Brooks Subdivision Map No. 6506 and Parcels 1 and 2 of Parcel Map No. 18812;

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to create 7 buildable lots and 1 open space lot from 3 existing lots with deviations to the lot standards, pursuant to Vesting Tentative Map No. 396659 for a site entitled with Resource Protection Ordinance/Southeastern San Planned District Permit No. 99-0156 which permitted a mixed use project consisting of a neighborhood shopping center totaling approximately 95,171 square feet, with a super market, retail shops, an office building complex of approximately 224,511, recreation center/multi-purpose room, youth mall plaza, and a 400-seat amphitheater. The development is described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated January 22, 2009, on file in the Development Services Department and described as follows:

The project shall include:



a. Deviations to the CT-2 zone lot standards (pursuant to Vesting Tentative Map No. 396659) to resubdivide the property and allow reduced width and street frontages as indicated in the table below:

| Proposed<br>Lot # | Proposed<br>Street<br>Frontage | Proposed Lot<br>Width | Lot Standard Requirement  |
|-------------------|--------------------------------|-----------------------|---|
| Lot 1             | 0'-0''                         | No Deviation          | 100'-0''  |
| Lot 2             | 0"-0"                          | No Deviation          | 100'-0''  |
| Lot 3             | 0'-0"                          | No Deviation          | 100'-0''  |
| Lot 4             | No<br>Deviation                | No Deviation          | Lot 4 complies with the lot standards   |
| Lot 5             | 0'-0"                          | No Deviation          | 100'-0''  |
| Lot 6             | 0' -0''                        | 63'-0"                | 100'-0" Width   |
| Lot 7             | No<br>Deviation                | No Deviation          | No changes proposed (Existing Lot 1 of Map No. 6506 in compliance with lot standards) |
| Lot A             | 0'-0"                          | No Deviation          | 100'-0''  |

b. City Council Approved Project as indicated in the table below:

| RPO/SESD No. 9       | d Development Pursuant to PO/SESD No. 99-0156 Status January 2009 (Approximate Square Feet) |           |                       |
|----------------------|---|-----------|-----------------------|
| Building Area        | Total   | Built     | Remaining to be Built |
| Retail Building Area |   |           |                       |
| Pad 1                | 4,702 SF  | 0         | 4,702 SF              |
| Pad 2                | 3,715 SF  | 0         | 3,715 SF              |
| Pad 3                | 3,504 SF  | 3,504 SF  | 0                     |
| Shops 4              | 11,047 SF   | 11,047 SF | 0                     |
| Shops 5              | 6,413 SF  | 6,413 SF  | 0                     |
| Kiosks               | 1,372 SF  | 0         | 1,372 SF              |
| Market               | 57,590 SF   | 57,590 SF | 0                     |
| Youth Mall           | 1,800 SF  | 0         | 1,800 SF              |
| Child Care Center    | 5,028 SF  | 0         | 5,028 SF              |
| Office Building Area | 224,411 SF  | 77,000 SF | 147,110 SF            |

| Community Building Area            |           |       |           |
|------------------------------------|-----------|-------|-----------|
| Multi Purpose Rec Cntr.            | 12,406 SF | 0     | 12,406 SF |
| Amphitheater (400-seat)            |           | Built |           |
| Vehicular & Pedestrian Bridge      |           | Built |           |
| Under Pass Beneath Trolley<br>Rail |           | Built |           |

- c. Architectural and Sign Design Guidelines entitled *Market Creek Plaza Architectural Design Guidelines* and *Market Creek Plaza Sign Design Guidelines* dated September 28, 1999 as adopted by the City Council;
- d. Landscaping (planting, irrigation and landscape related improvements);
- e. Off-street parking facilities;
- f. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

### **STANDARD REQUIREMENTS:**

- 1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.
- 2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
- 3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.



- 4. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
- 5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
- 6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
- 7. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.



- In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the ESA and by the California Department of Fish and Game [CDFG] pursuant to Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, as described in accordance with Section 17.1D of the IA.
- 10. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
- 11. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

### PLANNING/DESIGN REQUIREMENTS:

- 12. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.
- 13. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.
- 14. Hours of operation for the amphitheater are as follows: Monday Friday 9:00 a.m. to 3:00 p.m. and after 6:30 p.m. daily on Saturday, Sunday and Holidays. The school children may use the amphitheater during the Monday Friday 9:00 a.m. to 3:00 p.m. period. All performances at the amphitheater shall end no than twelve midnight, seven days a week. No performances shall be allowed between twelve midnight and 9:00 a.m.



#### **ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

- 15. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project.
- 16. The mitigation measures specified in the Mitigation Monitoring and Reporting Program, and outlined in Mitigated Negative Declaration No. 42-7162, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.
- 17. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in Mitigated Negative Declaration No. 42-7162, satisfactory to the Development Services Department and the City Engineer. Prior to issuance of the first preconstruction meeting, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas of Transportation/Parking.
- 18. Prior to issuance of any construction permit, the Owner/Permittee shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

#### **ENGINEERING REQUIREMENTS:**

19. This Planned Development Permit/Site Development Permit shall comply with all of the provisions of Vesting Tentative Map No. 396659 and the applicable conditions of Resource Protection Permit/Southeastern San Diego Development Permit No. 99-0156.

#### TRANSPORTATION:

20. No fewer than 1,231 off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department.

#### **INFORMATION ONLY:**

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code §66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on January 22, 2009, resolution number 4488-PC.



Permit Type/PTS Approval No.: Planned Development Permit No. 582176/Site Development Permit No. 619562

Date of Approval: January 22, 2009

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

TITLE: Development Project Manager

NOTE: Notary acknowledgment must be attached per Civil Code

section 1189 et seq.

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

West Side Creek, LLC

By Diamond Management, Inc.

Its Managing Member

By

Mame:

Susan Halliday

Title:

Chief Financial Officer

Market Creek Partners, LLC

By Diamond Management, Inc.

Its Managing Member

By

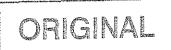
Name:

Susan Halliday

Title:

Chief Financial Officer

NOTE: Notary acknowledgments must be attached per Civil Code



| CALIFORNIA ALL-PURPOSE  | ACKNOWLEDGMENT   |
|---|--|
| State of California  County of JAN DIEW  On MAY 12, 2009 before me, personally appeared   | JOHNNA PHTMONA SANTWAN, NOTARY PYBLIC THASEW  Name(s) of Signer(s)   |
| ACAMMA RATRICIA SANTRUAN Commission # 1618821 Notary Public - California San Diego County My Comm. Expires Nov 4, 2009  Place Notary Seal Above | who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/a/e subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ie/s), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.  I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.  WITNESS my hand and efficial seal.  Signature  Signature of Notary Public  |
|   | DPTIONAL (1) DPTIO |
| and could prevent traudulent remo  Description of Attached Document   | val and reattachment of this form to another document.   |
| Title or Type of Document:  |  |
| •   | Number of Pages:   |
| Signer(s) Other Than Named Above:   |  |
| Capacity(ies) Claimed by Signer(s)  |  |
| Capacity(ies) Cianned by Signer(s)  |  |
| Signer's Name:  |  |
| ☐ Individual  | ☐ Individual ☐ Corporate Officer — Title(c):   |
| <ul><li>□ Corporate Officer — Title(s);</li><li>□ Partner — □ Limited □ General</li></ul>   | Dortner Climited Consul  |
|   | HUMBPRINT   Partner   Limited   General   RIGHT HUMBPRINT   SIGNER   OF SIGNER   |
| ☐ Trustee Top of t  | thumb here Top of thumb here   |
| ☐ Guardian or Conservator   | ☐ Guardian or Conservator  |
| □ Other:  | □ Other:   |
| Signer Is Representing:   | Signer Is Representing:  |

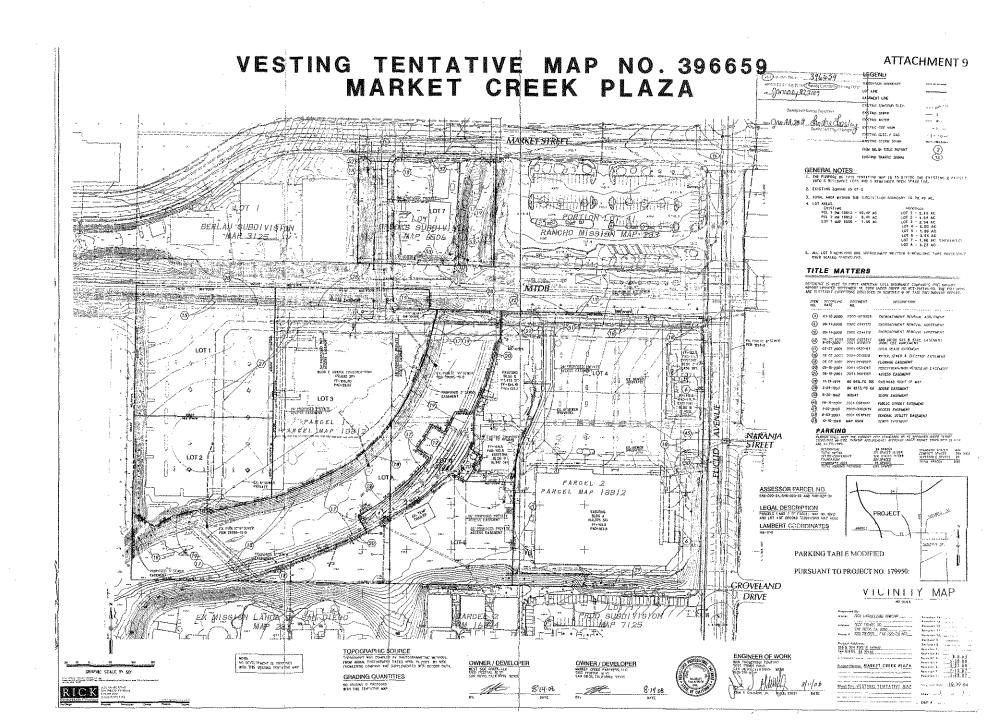
© 2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org | Item #5907 | Reorder; Call Toll-Free 1-800-876-6827

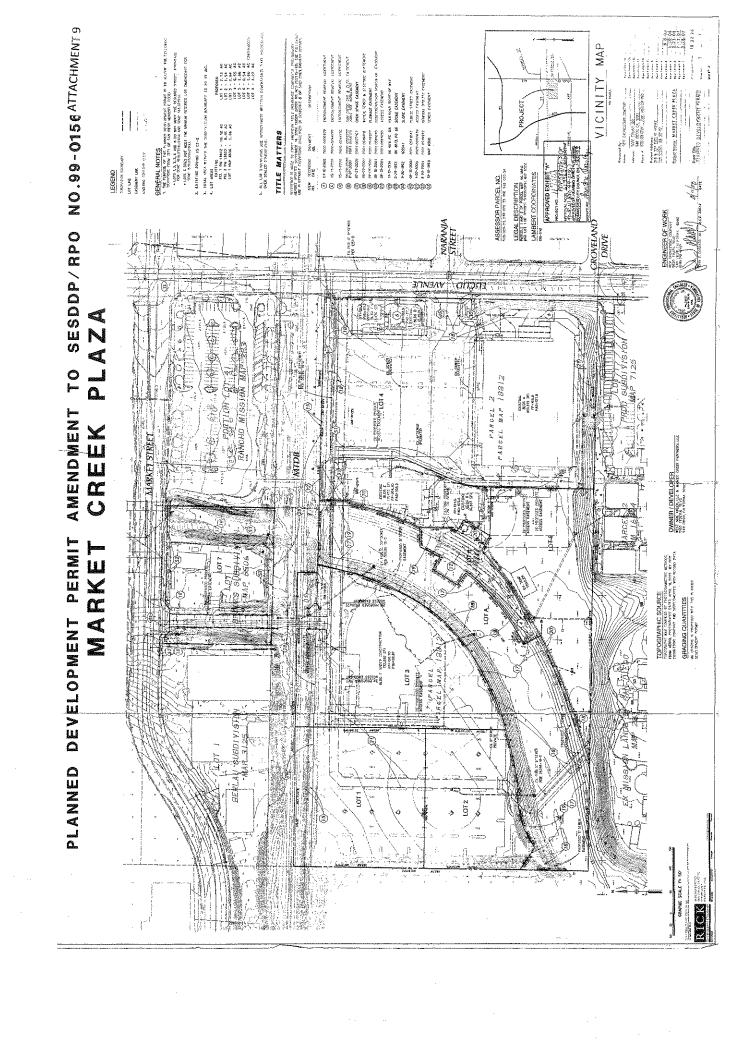


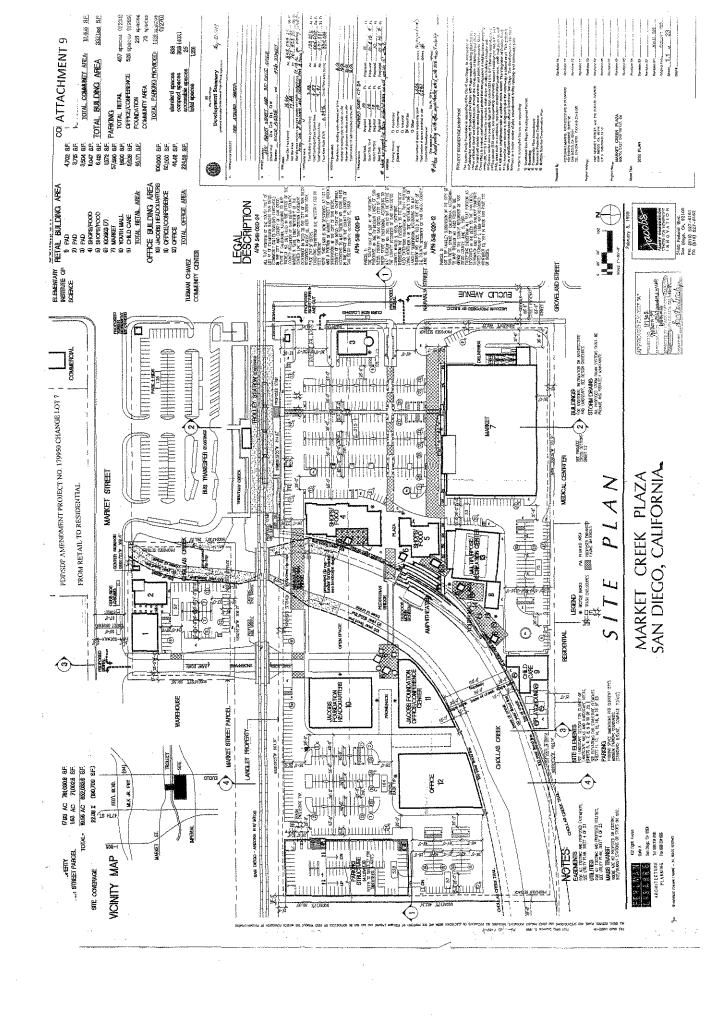
|  | ` ·  |
|--|--|
| State of California                            |  |
| County of San Diego                            |  |
|  | Culla Olus Out 1120 Aladay C   |
| On <u>Sobole</u> before me, _                  | GUILLE ON CUDINAS, NOTAYUE   |
| personally appeared <u>Susan</u>               | Halliday   |
| ***************************************        | Name(s) of Sigher(s)   |
|  | ,  |
|  | who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the        |
|  | within instrument and acknowledged to me that  |
|  | he/she/they executed the same in his/her/their authorized  |
| CHILF CONTROL                                  | capacity(ies), and that by his/her/their signature(s) on the   |
| GUILLE OLIVA CUBILLAS I                        | instrument the person(s), or the entity upon behalf of   |
| NOTARY PUBLIC-CALIFORNIA O<br>SAN DIEGO COUNTY | which the person(s) acted, executed the instrument.  |
| My Commission Expires<br>FEBRUARY 28, 2013     | I certify under PENALTY OF PERJURY under the laws  |
|  | of the State of California that the foregoing paragraph is   |
|  | true and correct.  |
|  | WITNESS my hand and official seal.   |
|  | Sin Maria  |
| Place Notary Seal Above                        | Signature Signature of Notary Public   |
|  | OPTIONAL -   |
|  | y law, it may prove valuable to persons relying on the document<br>il and reattachment of this form to another document. |
| Description of Attached Document               |  |
| Title or Type of Document:                     |  |
| Document Date:                                 | Number of Pages:   |
| Signer(s) Other Than Named Above:              | •  |
|  |  |
| Capacity(ies) Claimed by Signer(s)             | ,  |
| Signer's Name:                                 | Signer's Name:   |
| ☐ Individual                                   | Individual   |
| ☐ Corporate Officer — Title(s):                | Gorporate Officer — Title(s):  |
| ☐ Partner — ☐ Limited ☐ General FIGHT INL      |  |
| ☐ Attorney in Fact ☐ Trustee ☐ Trustee         | mb here Trustee Top of thumb here  |
| ☐ Guardian or Conservator                      | ☐ Guardian or Conservator  |
| Other:   | Other:   |
|  |  |
| Signer Is Representing:                        | Signer Is Representing:  |

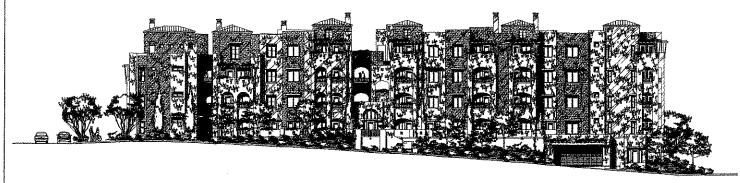
© 2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org | Item #5907 | Reorder: Call Toll-Free 1-800-876-6827











# TROLLEY RESIDENTIAL DEVELOPMENT

DIEGO - CALIFORNIA SAN

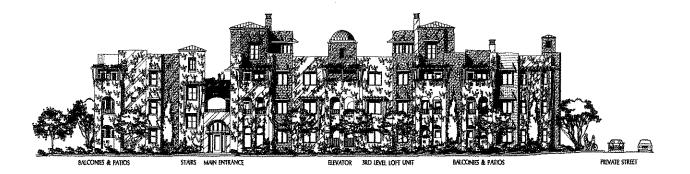
INITIAL SUBMITTAL - DATE ISSUED: MAY 09, 2009

RESUBMITTAL - DATE ISSUED: OCTOBER 06, 2009

RESUBMITTAL - DATE ISSUED: JANUARY 19, 2010

JACOBS FAMILY FOUNDATION RODRIGUEZ ASSOCIATES ARCHITECTS & PLANNERS, INC. IVY LANDSCAPE ARCHITECTS

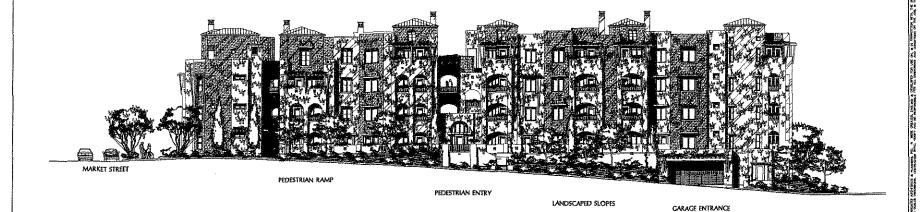




RESIDENTIAL ELEVATION
VIEW ALONG MARKET STREET

| TROLLE  | Y RESIDEN  | TIAL DEV      | ELOPMENT     |
|---------|--|---------------|--------------|
|         | COBS FC  | ANACTAGNO     | INC          |
| (67     | CHARACT  | 6x19) 295-239 | 1 VAX        |
| 4 1 200 | DESCRIPTION DATE OF THE PROPERTY OF THE PROPER |               | K MW.        |
|         | SEP ES.  | .et.2004 [9   | CS.1         |
|         | 04943  |               | HEFT 2 OF 61 |





RESIDENTIAL ELEVATION
VIEW ALONG MARKET CREEK DRIVE

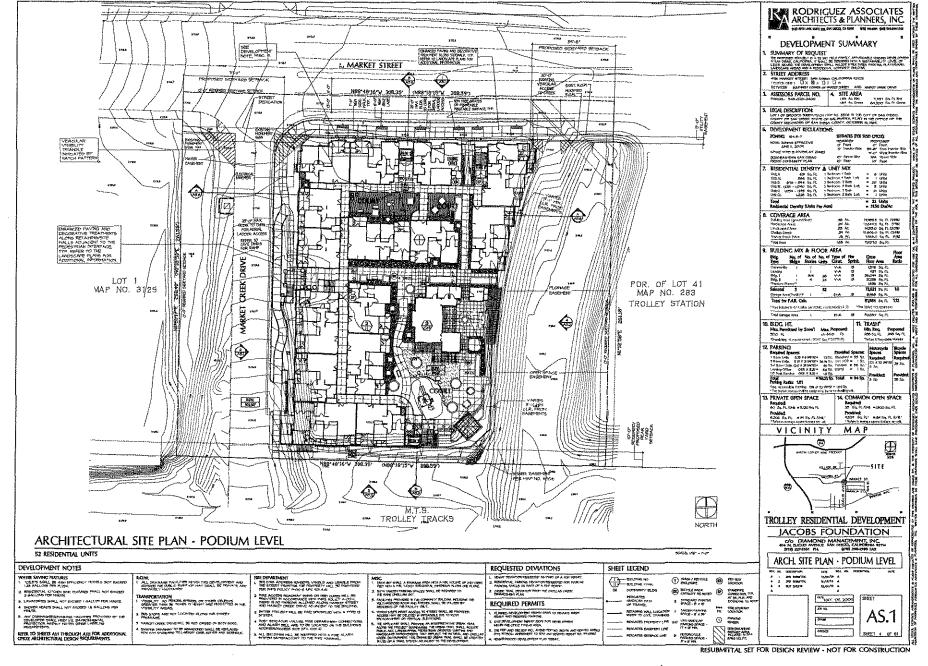
TROLLEY RESIDENTIAL DEVELOPMENT
JACOBS FOUNDATION

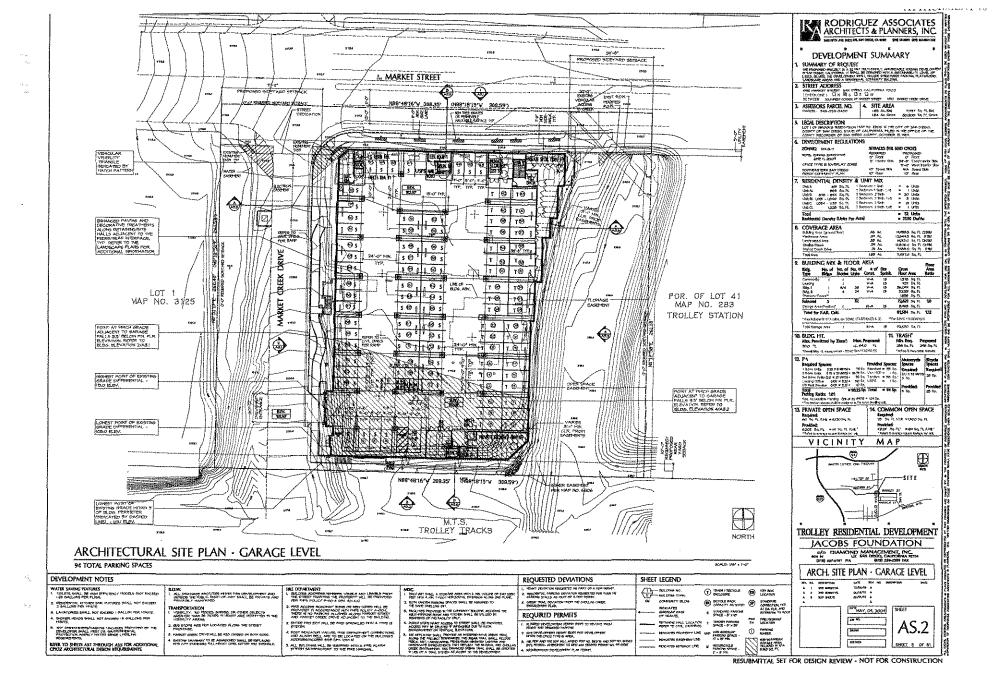
FOR DIAMOND MANACEMENT INC.

GOAL METHOD WITH MODE AND ACTION WITH

FOR DIAMOND MANACEMENT INC.

FOR DIAMOND M

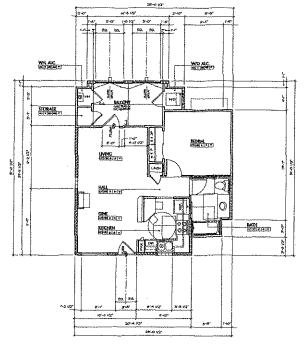


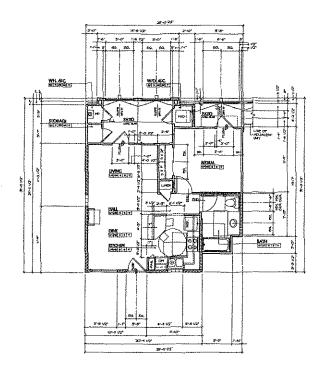


RODRIGUEZ ASSOCIATES ARCHITECTS & PLANNERS, INC.

PLAN SHEET LECEND 264 SIND HAUL MINIMA SAN PANT DELANG OF MATERIAL STATES OF STATES

PLAN FINISH SCHEDULE LEGEND





UNIT A1.1 FIRST FLOOR UNIT 1 BEDROOM - 1 BATH ALL DWELLING UNITS ARE
ADAPTABLE AND ACCESSIBLE UNITS ACCESSIBLE UNITS NOTES UNIT ALI

| SPACE .               | SQ POOTAGE  |
|-----------------------|-------------|
| LIVING AREA           | 4915/       |
| RASTOTAL              | 6911 S.F.   |
| ACCESSORY AREA        | S           |
| SIACE                 | SQ. POOTACE |
| COVERED PATES / BALC. | 102.4 S.F.  |
| IN CLOSET             | 05 S.F.     |
| STORAGE               | KO SF.      |
| HASHER-DRYER          | % 5.F.      |
| SANTOTAL.             | 776.8 S.F.  |
| YOTAL                 | 7910 SK     |
| OPEN TO SET PATOVONIA | 42.04 5.5.  |
| Path-olas             | 0 5.7.      |
|                       |             |

SECOND FLOOR UNIT

| HAN HECHMANNETTS         | COMMENTS  | MIN, SECURE OFFICE         | COMMENTS   |
|--------------------------|---|----------------------------|--|
| Margine on Units         | SEAVE SITE OF ALL   | MONTON PER PAGE            | 1952 (S), 585 541, 3G1                                     |
| GEAD DARD                | MIAL RY THING PENELS  | SOP BY STO FOR             | MAYOR PRODUCT BOTH ALL POR TOWN OF STREET                  |
| SPORTER POSE             | MUNICIPAL TERRORS PERSONS                                       | HARE OF LIS OF SAME, VOCAN | SUBSTICATION HOTEL MAKE MAKE MAKE MAKE MAKE MAKE MAKE MAKE |
| ATTERNIES SON.           | KSWI CEMBER TOPOTARME<br>COL OFF-OUT DELAN PRA<br>PERSONS PLANS | MERCHAN SPRINGS SPACE      | Visite Limit on the case                                   |
| FIL NOVEMBER SHIC        | PRINCIPES MAN   | SCHOOL BANK INCOME MIGHT.  | OF IT OF LIP. AS ACCEPTED THE                              |
| ST BUBAD BOARDS          | SHOULD HERE THE FAME  | OTHER CAST, AT A P.        | HOTINE FOR SHY, ONE & BUT. STEV.                           |
| SANST CLEAR PORT OF ARM. | PETALI, FER 341. 6K2  | BANKACOTH                  | PROVIDED TO THE PROPERTY OF                                |
| OCTUP SEAT               | METAL FOR TOWNS TRANS   |                            | DRIVET WAS ARREST MANY AND THE                             |
| THE PERSON NEWSFER       | MPINI, FREIKANS   | SEASON POOD                | ST. HOSE MARKET HATT SHARM                                 |
| ADDITIONAL SEQUE         | EMENTS:   |                            | L  |
| C. PETER TO AND VISION   | RAL HEED ONLOWS   | 5. THESE DESIGNATED FOR    | CHEMINA ARE AREA BELLEON                                   |

UNIT A1 - FLOOR PLANS MAY. 04. 2004 A0.1

TROLLEY RESIDENTIAL DEVELOPMENT JACOBS FOUNDATION

with Descination from records 400 World Hericolo-single Annie A Edither Sick Petrol Nitherical Hericolo-phical Annie A British and February Description for their Annie Marineton and Lindian for the membrate Act in Product Annie Marineton Annie Hericolophia Act in Production Intelligence on the Annie Marineton Hericolophia and Control Control and Annie in Control Control Annie (Annie Marineton Annie in Control

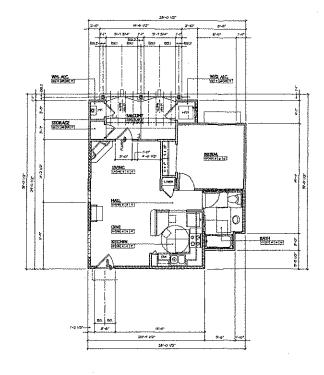
ALL DWISLING UNITS ARE ADAPTABLE AND ACCESSIBLE UNITS UNIT ALZ SPACE LIVELS AREA SO, POOTAGE 660 S.F. SUB-TOTAL 651.1 S.F. ACCESSORY AREAS 
 SPACE
 \$Q. FOOTAGE

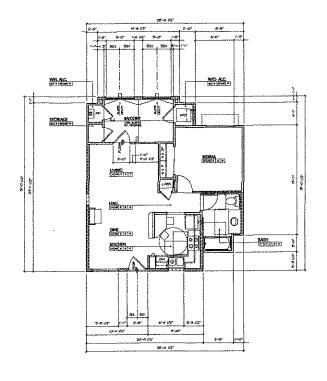
 SOVE/SIZE PATTO / BALL
 \$22.4 S.F.

 ₩1 GLOSET
 40.5 S.F.
 SUB-TOTAL TOTAL 7910 SF.

UNIT A1.2

1 BEDROOM - 1 BATH





> 37.3 S.E. 665.62 S.E.

### 10 907 PATIONAL . \$224 S.F. POP-COS 0 5 F. UNIT A1.3

STUDIO - 1 BATH

NOTE FOR ONE DOTE DAYS AND DEFEATS OFFER TO DIF AND - PLOOR FLAN

LEL DAYFRABLE AND ACCESSIBLE UNITS

UNIT A13

SYATE

SYATE

SYATE

SYSTEM

SYSTE

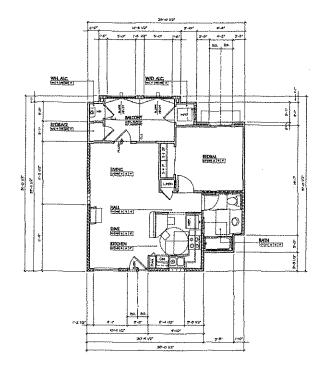
ACCESSORY AREAS

791.0 S.E.

COSH 10 SKY PATICISM C D.S.F. POP-CUTS 0.5F.

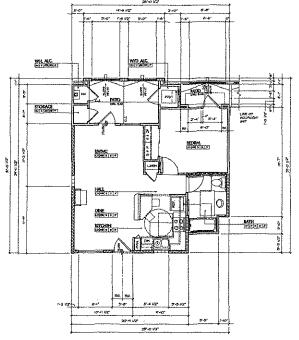
SPACE

ARCHITECTS & PLANNERS, INC. PLAN SHEET LEGEND 2000 STID HOLL HIIIIIII Set and shift. SANANA SANANA MANA STATE OF THE REAL PROPERTY. SECURITY THE PROPERTY OF STATE OF SECURITY u SEASON SERVICES TO SEASON SEAS PLAN FINISH SCHEDULE LEGEND CT CERAMIC TILE DC BROOM PSON CONC. THE SECTION WITH SUBSECT. AND SECTION ASSETS. TROLLEY RESIDENTIAL DEVELOPMENT JACOBS FOUNDATION C/O DIAMOND MANACEMENT, INC. 404 N. EXCLED AVENUE SAN EXTOD, CALIFORNIA SETH (818) SEP-8505 PK. (818) 295-2798 FAX UNIT A1 - FLOOR PLANS MAY. 04, 2004 A0.2



29 to SE

OPE TO SKY PATIONALS. 0 SP. POP-OUTS 45 SP.



INIT A2.1

FIRST FLOOR UNIT

SPACE OFF

SPAC

CONTROL OF THE PARTY AND THE PARTY OF T

UNIT A2.2 UNIT A2.1 SECOND FLOOR UNIT 1 BEDROOM - 1 BATH 1 BEDROOM - 1 BATH ALL DWELLING UNITS ARE
ADAPTABLE AND ACCESSIBLE UNITS ALL DWELLING UNITS ARE ADAPTABLE AND ACCESSIBLE UNITS UNIT AZZ UNIT AZ1 SPACE LLYNG AREA SUS-TOTAL 5911 SF. ACCESSORY AREAS ACCESSORY AREAS \$Q. FOOTAGE IREA 9.F. IO.5 S.F. IIO.5.F. SQ POOTAGE 1024 SA, 103 SF. SPACE THE PERSON NAMED IN STORAGE ADDITIONAL REQUIREMENTS DAY SE HONGE TO ARCHITECTURE SHEETS (KD.) (BY)

TOTAL

791.0 S.F.

GESE TO SET PARIODALE SAN SIN. POP-COTO 45 SE.



RODRIGUEZ ASSOC ATTACHMENT 10

PLAN SHEET LECEND

24 SID NOL

250 STOWN STORMS

CD 250 STOWN STOWN STORMS

CD 250 STOWN STOWN STORMS

CD 250 STOWN STOW

MINCATE DRIES FOR 9 43995

POOL OF THE PROPERTY PARK

PLAN FINISH SCHEDULE LECEND

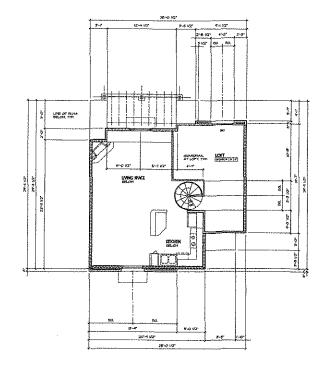
CF CENAHC TILE.
PER SPECIS
CF CLARET MY PAID,
PER SPECIS
SW SPECIS

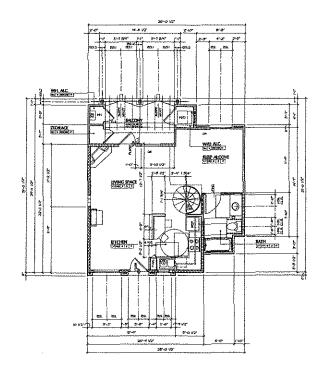
RESUBMITTAL SET FOR DESIGN REVIEW - NOT FOR CONSTRUCTION

FROM CONTROL & SELF-CEMONE RESALT MAY TOWNED MODES! AT MODE OF SELECTION SHOULD SHOULD NEXT IN THE PLANE.

THE CHARLES HER WEIGHT AND WHITE VALUE OF THE SEAL PROPERTY OF THE SEAL

MIS DESERVATED FOR HEARING MAD VISION HEARING SINCE WHEN WHEN AND COLUMN PLANT OF THE WARRENCE WORLD





UNIT A2.3L THIRD FLOOR UNIT - UPPER LEVEL STUDIO - LOFT - 1 BATH 2006 100 - 100

UNIT A2.3L

STUDIO - LOFT - 1 BASH

\*\*\*CALLS UP \*\* P - OF

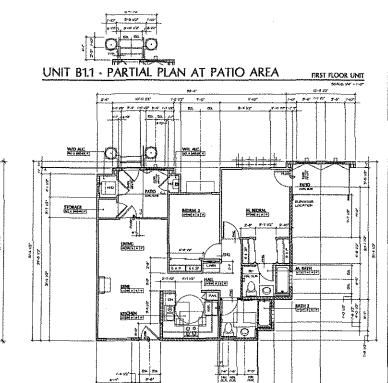
\*\*\*THERD FLOOR UNIT - MAIN LEVEL

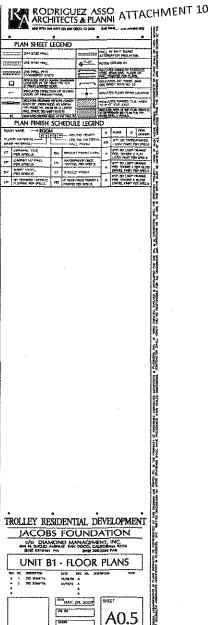
STUDIO - LOFT - 1 BASH

\*\*\*THERD FLOOR UNIT - MAIN LEVEL

\*\*\*THERD FLOOR UNIT - MAI

| 현          | AN SHEET                            | KEN                  | JIT3            |                    |                 | **********                     |          | - "             | \$ B   |  |
|------------|-------------------------------------|----------------------|-----------------|--------------------|-----------------|--------------------------------|----------|-----------------|--|--|
|            | 24 SND PAL                          | ******               |                 | MESSAGE A          | reg I y         | V BATT S<br>ACKIN RE           | OLHO     |                 | 12,  |  |
|            |                                     |                      |                 |                    |                 | ATEM RE<br>CEBRE II            |          | K               | 128  |  |
|            | ·                                   |                      |                 | <del></del>        | COURS<br>TERRAL |                                |          | Less            | PERFORMANCE TAKES AND BE UNCONTROL OFFICE OF THE OFFICE OFFI  |  |
| MYM.       |                                     | OS                   |                 |                    | gent d          | ONE STATE                      | 302      | DR.             | 123  |  |
|            |                                     | TE (X)               | (X.             | ,                  | SEE ON          | D 74 T                         | 0.0      | AR              | 168  |  |
|            | DOOR ON HINDS                       | HOK OF SL<br>H PWNEA | .DH6            | 7 1                |                 | n n.o.                         |          | ockron          | and the company  |  |
| ==         | MOYARD CENTRE                       | HERAND P             | eser<br>FX      |                    | SOCA<br>TO B    | ES PAN                         | e aus    | APPA            | ] <b>3</b> ½   |  |
|            | PAL SAGE SEES                       | 当時のは<br>27年代         | 490)<br>407, 61 |                    | C A             | 400.07<br>0000000              | HI C     | CONTRACT OF     | 145  |  |
| PL         | AN FINISH                           | SCHE                 | 114 11 1        | LEGEN              |                 | -0, f Def                      |          | _               | SOUR SERVER AND  |  |
| ICH M      | * #CO                               | W T                  |                 |                    | Ī               | NONE!                          | к        | PER             | 135  |  |
| DOR HI     | * #000                              | me.                  | - 05U1          | W. PSI.TISI.Z      |                 | or so                          | 16115    | 024431<br>NAVAU |  |  |
| SE NA      | eruc                                |                      | - ж.            | Pande              | +               | (cont                          | 400, 14  | a seco          | 3  |  |
| PER        | #40 건년<br>9983                      | Br.                  | K COM           | PROPERTY.          |                 | BYP NO.<br>PAGE TO<br>LATEN FO | NO. U.S. | PROS            | A DESCRIPTION OF THE PERSON OF |  |
| GAR<br>PER | PET NY PAR.<br>SPECS                | э: !                 | SPTYE)          | OF COX<br>OR OTHER | 厂               | STV BY.<br>PESL TOX<br>DWW-EL  | HAT C    | 9/R656          | 123  |  |
| 940<br>PER | trytm.,<br>spscs                    | 27 1                 | STUCKO          | 9854               | ļ.,             | DWG.                           | 1460° FE |                 | Openinges on the JOS is then office aller at   |  |
|            | Bottied Laughard<br>Pring Pen Bytes | PE S                 | **********      | ASE FROMED &       | *               | 617. ED.                       | NAME OF  | (1,000<br>R 000 | 1  |  |
|            |                                     |                      |                 |                    |                 |                                |          |                 | IR.  |  |
|            |                                     |                      |                 |                    |                 |                                |          |                 | COUNTY & DEVELOPED FOR U.  |  |
|            |                                     |                      |                 |                    |                 |                                |          |                 | THE SECOND THE MEMBERS THE SECOND MEMBERS IN THE SECOND IN |  |





UNIT B1.2 2 BEDROOM - 2 BATH

ACCESSORY AREAS SPACE
GOVERNO FAY
MY CLOSEF
BTGFFAGE
HASHEN-DICTE
SAB-TGTAL

**UNIT 812** 

ALL DWELLING UNITS ARE
ADAPTABLE AND ACCESSBEE UNITS

732 SEC

1072.0 S.F.

calca be led that are leaves 80 81 80 80 B

NVPNG ₽3#8≠3+1≠

PHILIP

5-0'

WP AG

ENL TO

WIS ALC

BEDRAL 2

577 TAP 128

STATE OF THE

91142 5/41

40

SECOND FLOOR UNIT

ELEVATOR LOCATION

MATH 2

M BDM

2 BEDROOM - 2 BATH ALL DWELLING UNITS ARE ADAPTABLE AND ACCESSIBLE UNITS

UNIT B1.1

| THE DEF             |              |
|---------------------|--------------|
| SPACE               | SO, FOOTAGE  |
| FANN WEN            | 043.6 S.P.   |
| SANTOIAL            | 8936 SF,     |
| ACCESSORY AREA      | 5            |
| SACE                | SOL POINTAGE |
| COLUMN CANAL COLUMN | 142 3 6 8    |

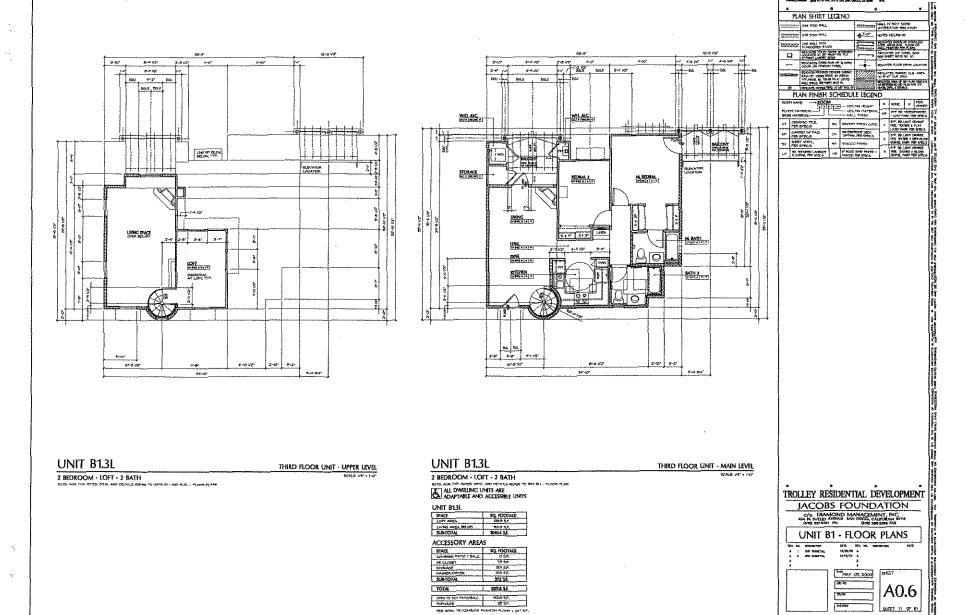
| SACE                     | SQ. FOOTAG |
|--------------------------|------------|
| COMPUSED PARTIE / TANKS. | 1423 S.F.  |
| TH CLOSEY                | 75 57      |
| STOPAGE                  | Dr Sr.     |
| NASHER-DRYES:            | 39 SA      |
| S./B-TOTAL               | 779.3 S.F. |
| TOTAL                    | 1073 S.F.  |
| DESK TO SKY PATROBALS.   | Ø 8.P.     |
| BOD (70%)                | 0.55       |

| HAN ARCHITECHED (TS                     | COMMENTS   | MAN BECKARDAENTS   | COMPARIS   |  |
|---|--|--|--|--|
| NZYEER OF WAYS                          | SEE APROV. BITS, FAST. 463                                     | MOTOR PERMITA  | that (D), NE Art. NO.  |  |
| PRAB SARS                               | with his system Hantel   | SUIT OF SUS REF.   | MON-PHY, HERKY, PER STRAYS GREEN   |  |
| ACHIENE HOUSE MICHAEL PER TENANT'S RESE |  | WIRE FREIS ON FARY STORES  | MARKET DISCHE HEREL IMPLEMENT  |  |
| RYCHEN SYN.                             | DENA COMER DECAMING<br>OR OWN-DET DATAIN PORT<br>FLIMENS FLAME | estant america (2) (5)   | VISIAL LIGHT DR DR 23 TO THE WAR LIGHT TO THE WAY WATER TO THE WAY WATER FROM THE WAY WAT |  |
| or temperowell and                      | METHAL PER PLANS   | TOPR BAR HOUSEN'S OF   | 545 AC ACT N. T. N. N. CONSISS BOOK  |  |
| D. BARND BUNKEN                         | THE CLASSIC AND ALMO   | WHE CAST OF APP.   | NEAN, THE BUT HES F WITH SELECT  |  |
| ATTE CAMES - STATE AFF.                 | PERSONAL PERSONS OFLY  | *ANNENNYSK   | PRINT COMPANY SELF-CLESSORS  |  |
| N-TUB SEAT                              | NEEDLETER TOWAYS POSITED                                       |  |  |  |
| MOD PERCY PAD OR                        | PERCE PERPONE  | RANGE POOD   | The state of the s |  |
| ADORRONAL MEGAZI                        | EMENTS   | ***************************************  |  |  |
| ACC CITY FOR ADDITIONS                  | AN PERONE ON   | B. URITS DESIGNATED FOR IMPRIME AND YOUR REPAIRED<br>WHAL WHITE IS TELEPRINE JULE STORM RESIDENCE HOUSE<br>CAPTERS OF BEFORE WILL AND TO' CONTROL OF<br>THE VIEWS ON STORM IN D. D. COTTO TO BE TRANSPORTED. |  |  |
| Z STANATE VOLK                          |  |  |  |  |

| MODER TO MACHINEAUN, SHEETS ON 2, ON 2<br>MODERNA MOR ADDITIONAL SECURE MITTE   | 5. | איני של בחשיקו אות ספי המעופק ביושו   |
|---|----|---|
| STANATE VIEW, M. NOT SHILL IN   |    | CAPACES OF REPORTED YOUR AND THY<br>HE'S CAPACE SHE STEEM, HE TON, OUT OF<br>NEW TO PROPE WACK. |
| VENEY Nº COMES AND RECEIVED, NO. ADDRESS OF THE PERSON OF THE PROPERTY OF THE PERSON AND THE PERSON OF THE PERSON | ø. | BATTS DESIGNATED FOR HEADING AND VISIO<br>GRALL HALTS SHATCH AND GLACKY CONTROL                 |

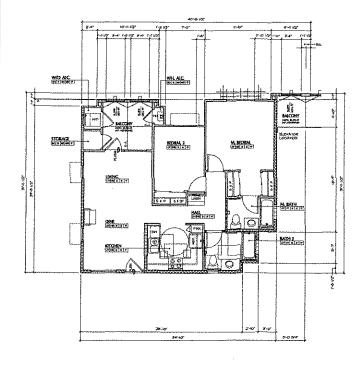
ACCESSIBLE UNITS NOTES

FIRST FLOOR UNIT



RESUBMITTAL SET FOR DESIGN REVIEW - NOT FOR CONSTRUCTION

RODRIGUEZ AS ATTACHMENT 10

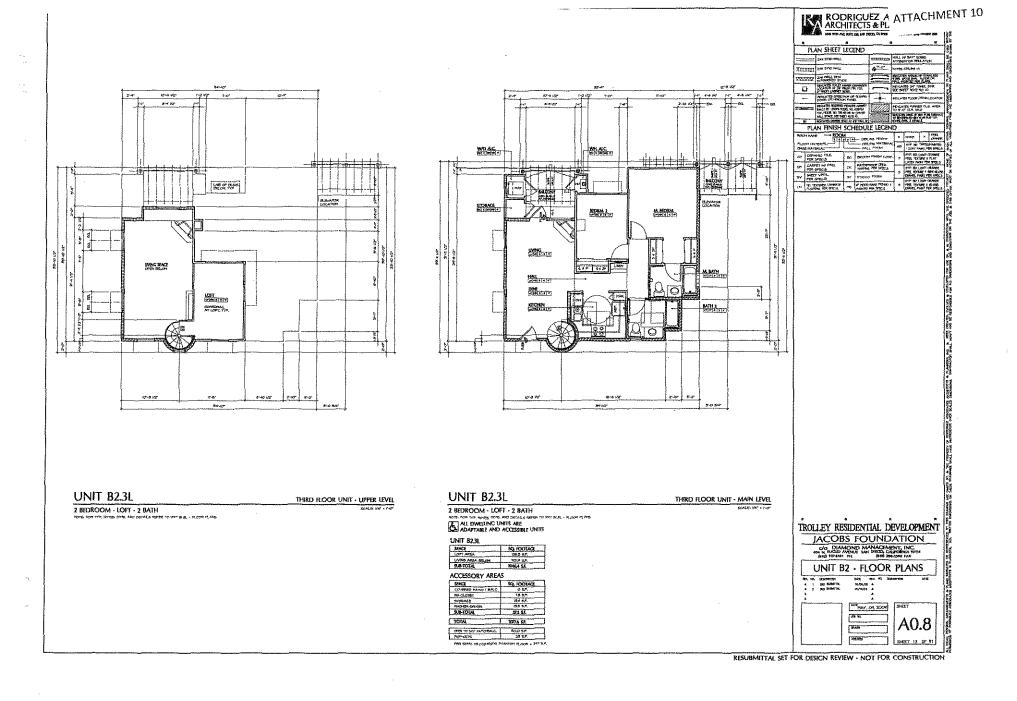


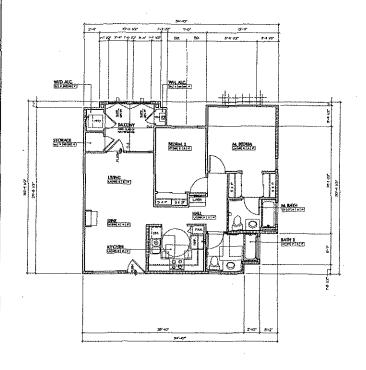
UNIT B2.2

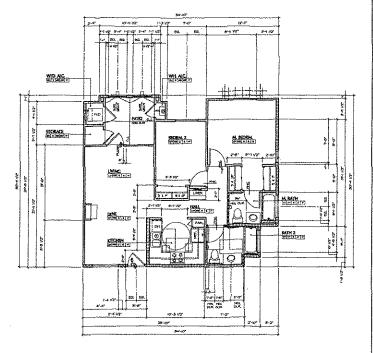
2 BEDROOM - 2 BATH

SOURCE OF THE STATE OF THE

| RODRIGUEZ ASSO: A LIACHMENT 10   |
|--|
| ARCHITECTS & PLANNERS, INC.  HE THE ART REI HE DO DOES ALOND BE SHARED FOR PLANNERS FOR THE PLANNERS FOR THE HEAVY FOR THE PLANNERS FOR THE PLANERS FOR THE PLANNERS FOR THE PLANNERS FOR THE PLANNERS FOR THE PLANERS FOR THE PL |
| PIAN SHET LECENED  |
| 744 5921-1441.   |
| TIDITETS! 200 STAD HALL  SOLD HALL HALL  SOLD HALL HALL  SOLD HALL HALL  SOLD |
| CI SCHOOL REAL WAY WAY AND   |
| - MACATES TRANSPORTED MENANTE PLOCE STRAIN LOCATION  |
| AND ST. SEE STOLE STORY  |
| PLAN FINISH SCHEDULE LECEND  |
| ROOM HAVE BOOM & WINE X POR BE BUILDING TO BE BUILDING TO THE BOOM BOOK TO THE BUILDING TO THE |
| NAME HATTOTAL  |
| December 1978  |
| W DES CARCO ST FUNCTO TANNEY BANK PAR SECT. ST   |
| USE PROMINED CAMPBER 195 PRINCES BASE PRINCES OF STREET THE STREET STREE |
| 34 1 TOTAL PROPERTY AND THE PROPERTY AND |
| TROLLEY RESIDENTIAL DEVELOPMENT  JACOBS FOUNDATION  CO. DIAMOND MANAGEMENT, INC.  CONTROL OF THE PROPERTY OF T |
| Grif 327-640 Ft. Grif 790-2390 Ft. R. S.   |
| TROLLEY RESIDENTIAL DEVELOPMENT  JACOBS FOUNDATION  VIO. DIAMOND MANAGEMENT, INC.  ON DIAMOND MANAGEMEN |







FIRST FLOOR UNIT TROLLEY RESIDENTIAL DEVELOPMENT

2 BEDROOM - 2 BATH ALL DWILLING UNITS ARE ADAPTABLE AND ACCESSIBLE UNITS UNIT B3.1 DVOIG AREA
SUBTOTAL SQ. FOOTACE 6844 9 F. 8849 SE.

UNIT B3.1

SECOND FLOOR UNIT

ACCESSORY AREAS \$0,1007AG2 50 97. 73 57. 64 57. 54 97. SPACE HI CLOSET STONAGE HAVES ON SUB-TOTAL 177.2 S.F. TOTAL 10021 S.S.

OPEN TO SAY PAROMENCE O BAY.
POR-OUTS 0 SAY.

ACCESSIBLE UNITS NOTES MIN REQUIREMENTS COMMENTS ARR REQUIREMENTS COMMENTS AND DE PART TOURS TOURS AND COMPANY AND THE PART TOURS AND COMPANY MAN COMES HELPFOOD OR PARKET DESIGN TON RUNNING ALANS WHEN POWERD TRACE YEAR AND THE RANGE THE ORN DIE THE OPPORTUNITY OF THE PROPERTY OF THE PROPERT DESIGNATION OF MAKE STREET **高级等中央** STANTED AND STON ADDITIONAL REQUIREMENTS

A SETTE DESCRIPTION TO THE MEASURE AND VARIOUS DEVALUED TO THE MEASURE SECTION AND THE MEASURE SECTION THE STATE ASSESSMENT OF REPORT OF STATES 2. STURKET WORK, N. MICH. SHALL TO PROVIDED FOR BACH COMOS. A VERDON OF CHARGE AND ADDRESSED, ALCOHOLDE, THE SHAPE OF THE SHAPE OF

RODRIGUEZ ATTACHMENT 10 PLAN SHEET LECENO ZM BOYO FOLL DIEGITA SAN SAN MAN ♦3:2 Home caree in VALUE THE HALL THE SEE SHEET HOPE NO. IO. - PROCESS STREETINGS IN SING HOLANG MARKED Q.S. AMEA PLAN FINISH SCHEDULE LEGEND ROCHINGE BOOM

(I) III III - CELAS REWAT

CALAN MATERIA

ONCE VALENCA - MATERI IN TOTAL PROPERTY AND AND THE PARTY OF THE P

JACOBS FOUNDATION

C/O DIAMOND MANAGEMENT, INC. AN BELLO AVORAS SAN DERCE CARCINA SETM

UNIT B3 - FLOOR PLANS

MAY, OR, 3000

SHEET

SHEET 14 OF 61

ACCESSORY AREAS \$Q.FOOTAGE . 60 6/A . 73 5/A . Da 9/F . 15.5 5/P . 10/2 \$E. TOTAL 90025 S.A.

OPEN TO SKY PATRONNES O S.F. POP-DUTS O S.F.

SOUTH FOR THE MOTES FIRST AND GENELS SOUTH TO THE BUT - FLOOR FLAN ALL DWELLING UNITS AXE ADAPTAINE AND ACCESSIBLE UNITS

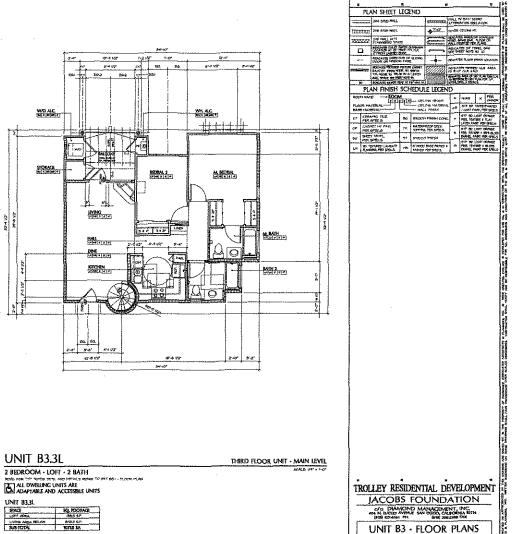
SQ FORTIAGE 6944 SE 8843 SE

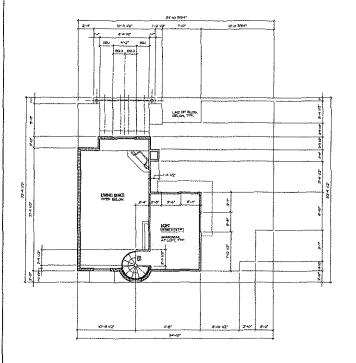
UNIT B3.2

UNIT B3.2

2 BEDROOM - 2 BATH







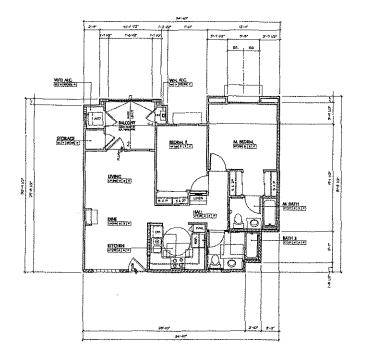
UNIT B3.3L THIRD FLOOR UNIT - UPPER LEVEL 2 BEDROOM · LOFT · 2 BATH TYO, NOTES, DIES, AND DETAILS REVENT TO DAT NO. MO. HELE. - PLACE IS AND

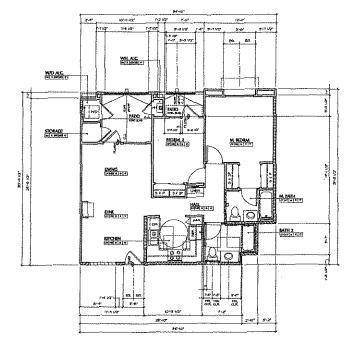
> UNIT 83.3L ACCESSORY AREAS

372 S.F. TOTAL 1061 \$2. 794.C. 507 SP. 25 SP.

RESUBMITTAL SET FOR DESIGN REVIEW - NOT FOR CONSTRUCTION

34% MAY, 04, 30004





UNIT B4.2 SECOND FLOOR UNIT 2 BEDROOM - 2 BATH ALL DWELLING UNITS ARE
ADAPTABLE AND ACCESSIBLE UNITS UNIT B42 SUB-TOTAL ACCESSORY AREAS SACE COVERED PACE / BAL WE CLOSET STORME WASHER-CICING \$Q. FOOTAGE 50 thr. 15 Sr. 15 Sr. 18 thr.

102 S.F.

70021 S.F.

049 TO 957 PATORNAL 2 55. POP-0015 140 55.

TOTAL

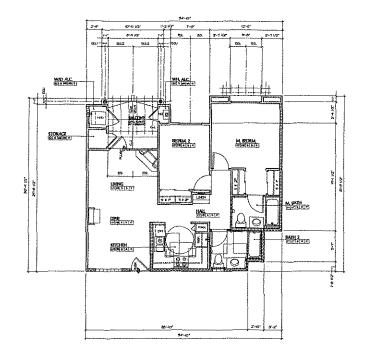
UNIT B4.1 FIRST FLOOR UNIT 2 BEDROOM - 2 BATH ALL DWELLING UNITS ARE ADAPTABLE AND ACCESSIBLE UNITS ACCESSIBLE UNITS NOTES ANY RECURRENCES COMMENTS AND REQUIREMENTS
SOFTER OF WARTS
SOFT COMMENTS UNIT B4.1 SPACE LIVERS AREA

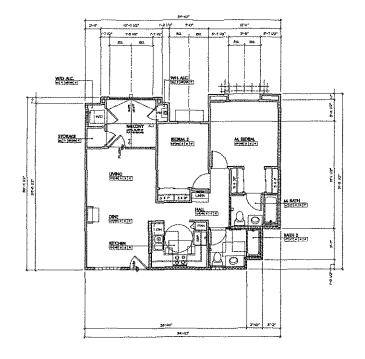
THE REAL PROPERTY AND THE PARTY AND THE PART #849 ST ACCESSORY AREAS 100 Str. (842 4 Mr. (8.87) 90 FOOTAGE 60 SF. 13 3 F. 84 SF. 04 3 F. MANUFACTURE TO THE PROPERTY OF THE PARTY OF SOURT ME ANNUA HIGH EMPERTY PART OR METALL STREET, AND COMPANY OF THE PARTY CHARGE AT MOSE HE THE WALL SHOOL ADDITIONAL REQUIREMENTS 102 52 SPECIES OF ACCORDANCE STUDIES OF A START VIEW, ALANS STALL, OF 10021 S.F. TOTAL

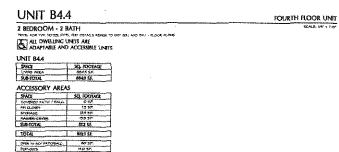
MOTION OF CHARM ANY ADDITIONAL ACCESSION, IN DECORPORAL CONTACTATION STORE OF CONTACTOR THE MICE AND STATES SHALL HAVE HORSESTATE ROTTICATION IN THE WINDOWS ARRAPHIES. SHIP CHARACTER FOR HERBOOK HE VINDS SHIRINGS SHIP SHIP SHIPS HE BOTH OF COUNTY FURTH & COLD CONTRACTOR COUNTY SHIPS HAVE

RODRICUEZ AS ATTACHMENT 10
ARCHITECTS & PLAY
ARC PLAN SHEET LEGEND 244 STEP HALL Militaria and and and: O PART CHARGE BOTH AND THE PART OF THE PAR NOW AND STREET OF STREET PLAN FINISH SCHEDULE LECEND DE PARTIE PER SALLA

ST SOURCE PERSON SACEL AING" IN THE PROPERTY LANGUAGE TO BE MADE THE STATE OF THE PROPERTY TROLLEY RESIDENTIAL DEVELOPMENT JACOBS FOUNDATION C/G DIAMOND MANAGEMENT, INC. UNIT B4 · FLOOR PLANS EAT, CM, 2007 Z6 H2 STARK ... SHEET 16 OF 61





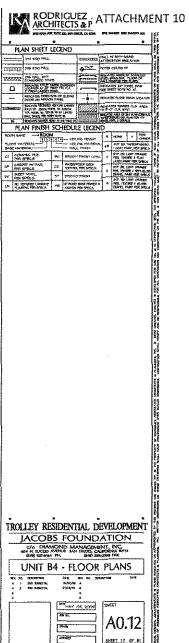


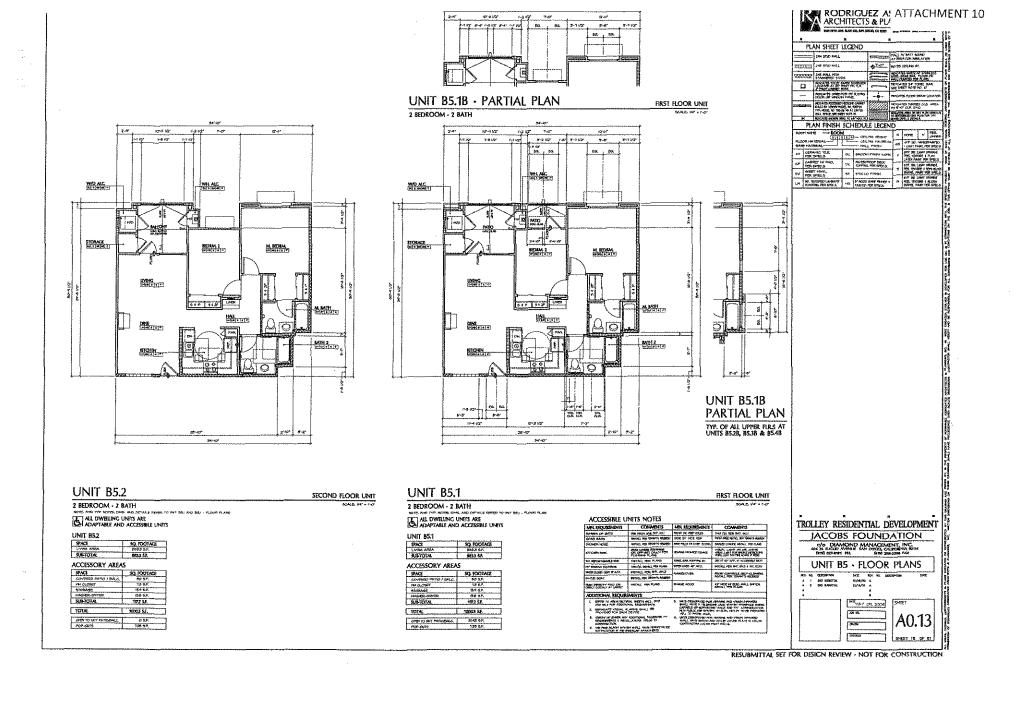


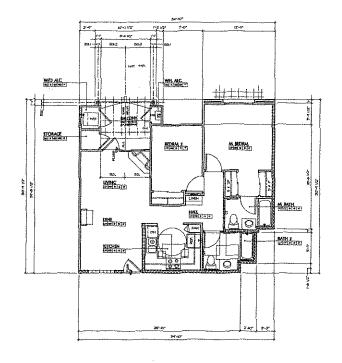
1003.1 SE

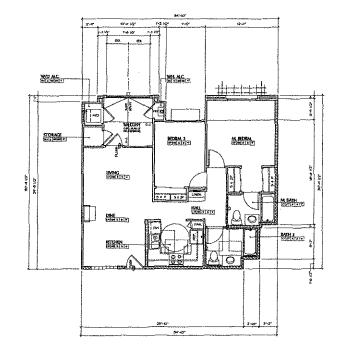
SPER TO SKY PATKOSNAC. C 97. ROW-CHIS 140 SF.

TOTAL









### UNIT B5.4

Z BEDROOM · 2 BATH

ALL DWELLING UNITS ARE ADAPTABLE AND ACCESSIBLE UNITS

UNIT B5.4

| SPACE       | SQ. FOOTAGE |
|-------------|-------------|
| LINGS APRIA | 664 26 5 P. |
| SUB-TOTAL   | 6813; 5F.   |
|             |             |

ACCESSORY AREAS

| SPACE                   | SQ HOOTAGE |
|-------------------------|------------|
| COVERED PARO / BALS.    | g S.F.     |
| HE CLOSET               | 7,5 5,0,   |
| STORAGE                 | 19.4 S.F.  |
| Kerter Certer           | 0.55       |
| SUA-TOTAL               | V2 SF.     |
| TOTAL                   | 9205 SJ.   |
| OFFICE TO SET PATIONALS | 80 S.F.    |
| POR CUTS                | 128 S.F.   |

UNIT B5.3

2 BEDROOM - 2 BATH

ADAPTABLE AND ACCESSIBLE UNITS

UNIT 85.3

FOURTH FLOOR UNIT

| LIMING ATEM         | 993 t 9 M  |
|---------------------|------------|
| SUB-TOTAL           | 883.3 S.F. |
| ACCESSORY AREAS     | }          |
| SPACE               | SQ POOTAGE |
| COVERSO PAND / BALC | \$0 S.F.   |
| SHI ELOSET          | 15 S.F.    |
| STORAGE             | 54 5F      |
| MASHERI-DRYCK       | 15.6 t./l. |
| SPICIAL             | 10/2 55,   |
| YOTAL               | 10003 ST   |

THIRD FLOOR UNIT

TROLLEY RESIDENTIAL DEVELOPMENT

JACOBS FOUNDATION E/O DIAMOND MANACEMENT, INC.

RODRIGUEZ ATTACHMENT 10

PLAN SHEET LECEND 254 ETIE HALL DAYLON THE HELD SOUN

Section 1 Sectio

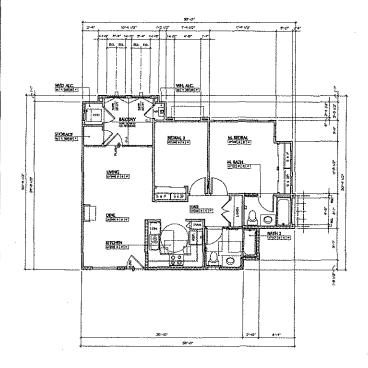
PLAN FINISH SCHEDULE LEGEND

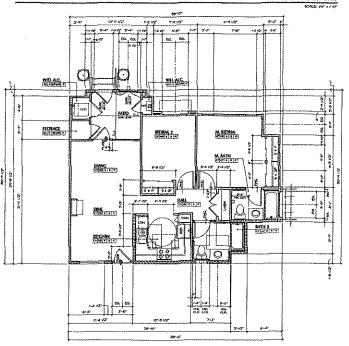
UNIT B5 - FLOOR PLANS



UNIT B1.1 - PARTIAL PLAN AT PATIO AREA

FIRST FLOOR UNIT





MANANT DE MALL MUSE REACHING DIRECTION OF QUITES DOCATE COMMUNICATION OF THE CO PLAN FINISH SCHEDULE LECEND ROOM HATERIAL TOOM COLOR SOOF CP CARPET NY DAD, DK DATES OF STATE OF IN TRUTHER LAPAGE TO GO PRODUCE MARTE TO GOTT TO LOSS O MARKET TO GOTT TO LOSS O MARKET TO GOTT TO LOSS OF THE LAPAGE AND ADDRESS OF THE LAPAGE AND

PLAN SHEET LECEND THE STATE HAVE

MINIMA SAS AND AND

RODRIGUEZ A ATTACHMENT 10

◆T-0'...

UNIT B6.2

2 BEDROOM - 2 BATH

ALL OWELLING UNITS ARE ADAPTABLE AND ACCESSIBLE UNITS

SQ. HOOTAGE

### UNIT B6.2

| LIVING APICA          | D15,1 6F.   |
|-----------------------|-------------|
| SUB-YOTAL             | 875J SJ.    |
| ACCESSORY AREAS       | 3           |
| SPACE                 | SQ. FOCHACE |
| COVERED PATRO / BALC. | 50 s.r.     |
| HH CLOSE!             | 1.5 5.P.    |
| STORAGE               | चलं क्षत    |
| MASHER-DRYER          | 13.8 S.F.   |
| SUBTOTAL              | JU2 U.      |
| TOTAL                 | 992.8 SJ.   |

OPEN TO SKY PATOURALS.

UNIT B6.1

SECOND FLOOR UNIT

ALL DWELLING UNITS ARE ADAPTABLE AND ACCESSIBLE UNITS

UNIT 86.1 SPACE LOVING AREA SUB-TOTAL

ACCESSOR SACE

SJE-TOTAL 11/2 SF. OTAL 9813 S.F.

2 BEDROOM - 2 BATH

ACCESSIBLE UNITS NOTES MIN DECKARBAGNIS

COMMENTS MAN DEQUARMENTS COMMENTS PACTOR DESPIRED THE CALLSES AIR. BC/ MANUAL HAVES LAVE AND CHARLES PROFESSION OF STREET 42 HIP HI S.M. MAL SHIPS PROST CONDUCT AT CAPPET ADDITIONAL REQUIREMENTS

FIRST FLOOR UNIT

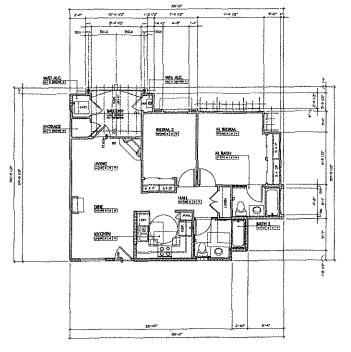
MO MA NOR MODITIONAL STREET BY A SHIP 2 SECRETARY VISIAL ALARMS SHALL BE ANDVINED AND EACH OWNER.

S. CORPT W CHICK AND ACCOUNTS, I'M CASHING, I'M CHARLES AND ACCOUNTS, THE PROPERTY AND ACCOUNTS HATE PRESENTED FOR HEARING MED VINCE THE AREA
SHILL HAVE DESCRIBED FOR SELVENTED FORMER RATE IN CITY OF CONTROL FRANCE OF SELVENTED FORMER RATE IN CITY OF CONTROL FRANCE OF SELVENTED FOR SELVENTED F TROLLEY RESIDENTIAL DEVELOPMENT

JACOBS FOUNDATION C/O DIAMOND MANACEMENT, INC.

UNIT B6 - FLOOR PLANS

MAY. 00, 7003





UNIT B6.3

THIRD FLOOR UNIT

2 BEDROOM - 2 BATH

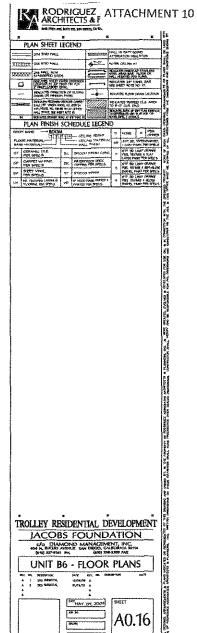
NOTE AND THE SOURCE OF AND GRANDS GRAN

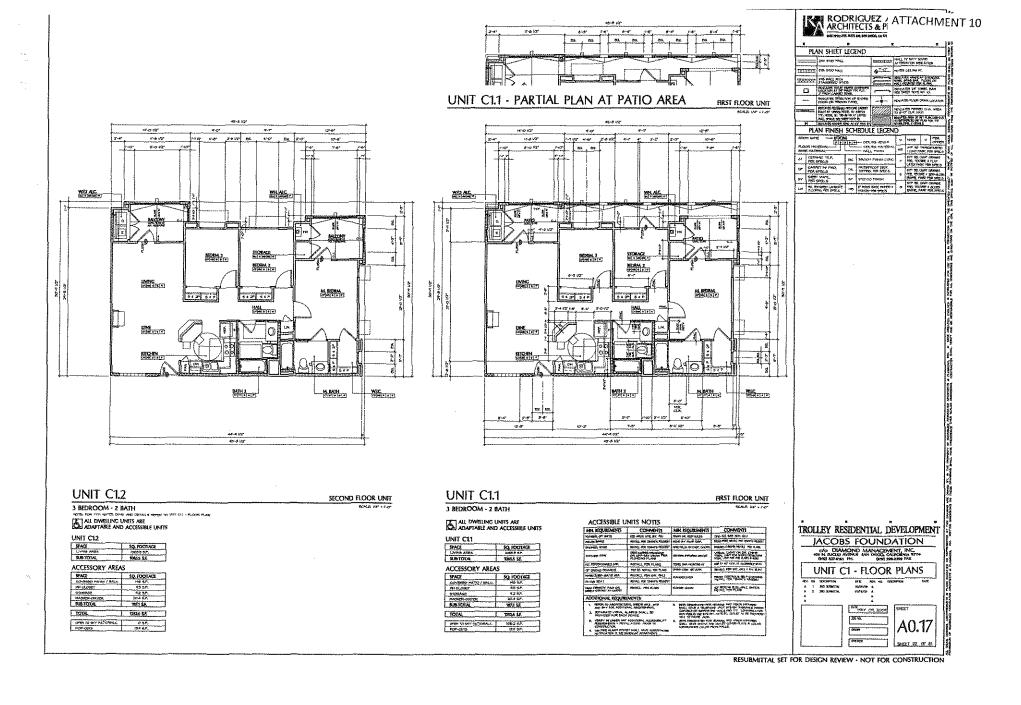
EINIT R6.3

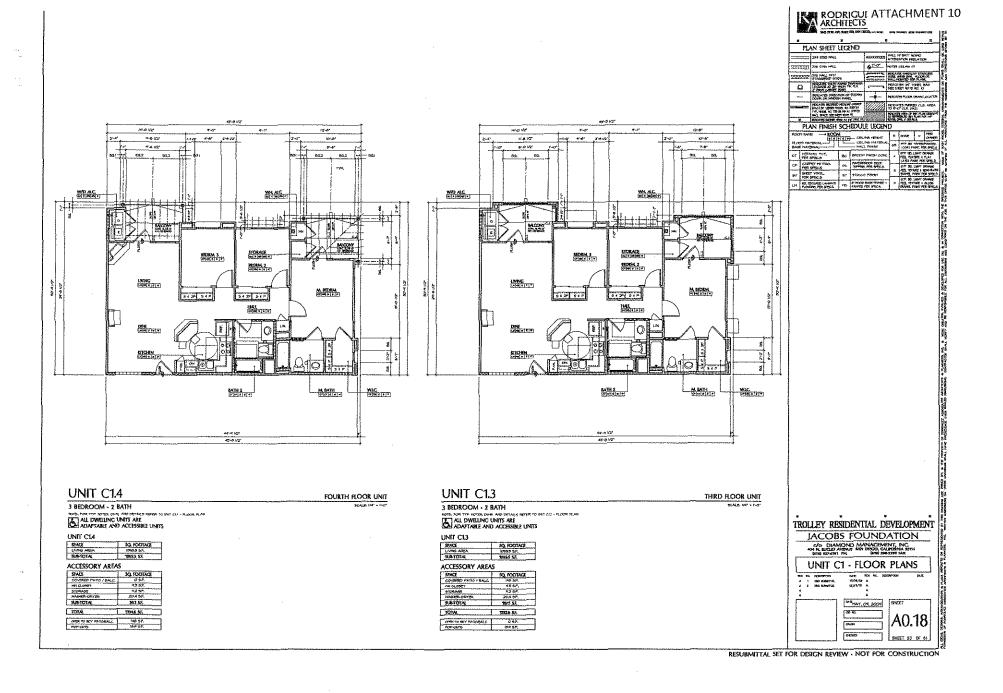
| SPACE           | SCHOOTAGE  |
|-----------------|------------|
| LIVINS AREA     | 873.7 3P   |
| SUB-TOYAL       | 875.7 S.R. |
| ACCTCECONA 4854 | •          |

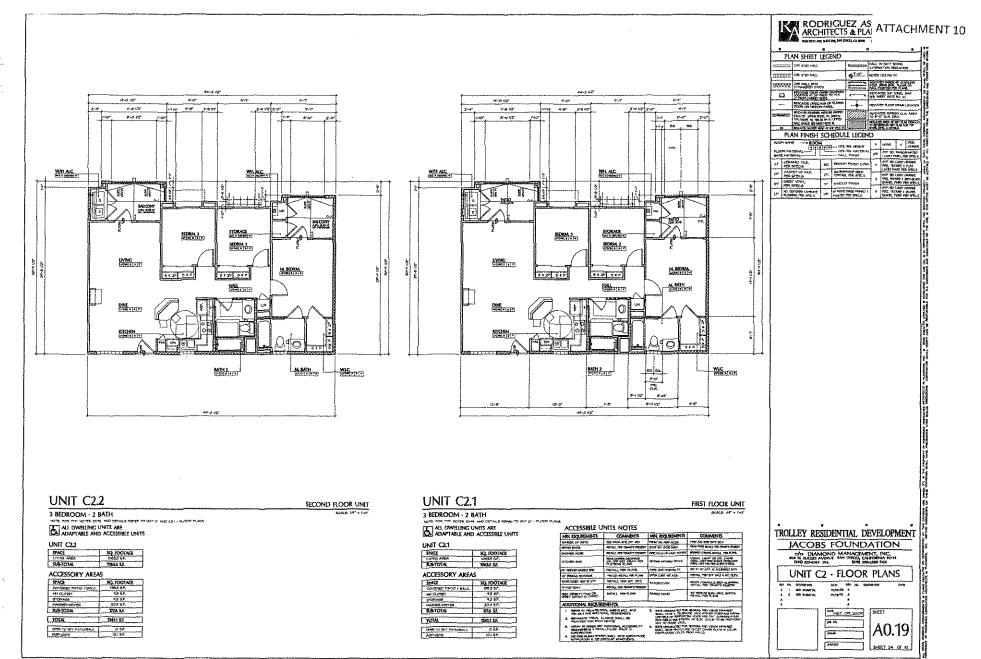
ACCESSORY AREAS

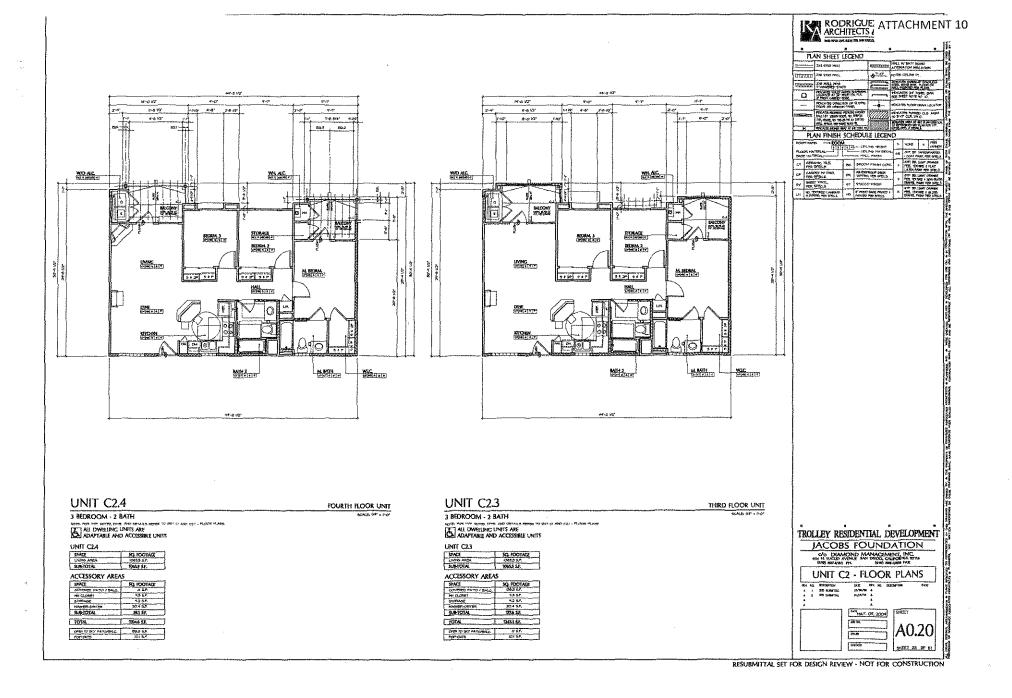
| SFACE                     | SQ. FOOTAGE |   |
|---------------------------|-------------|---|
| COMPRED PARO I DALC.      | O SF.       |   |
| HH CLOSET                 | 1557        |   |
| SECRETAGE                 | 3×50        |   |
| MASSES ORTER              | 158 51.     | _ |
| SUB-TOTAL                 | V25E        | _ |
| TOTAL                     | 9723 SE     | _ |
| CEPEN TO SECT PACTORNALS. | 80 S.P.     |   |
| POP-clims                 | 68 8.P      |   |

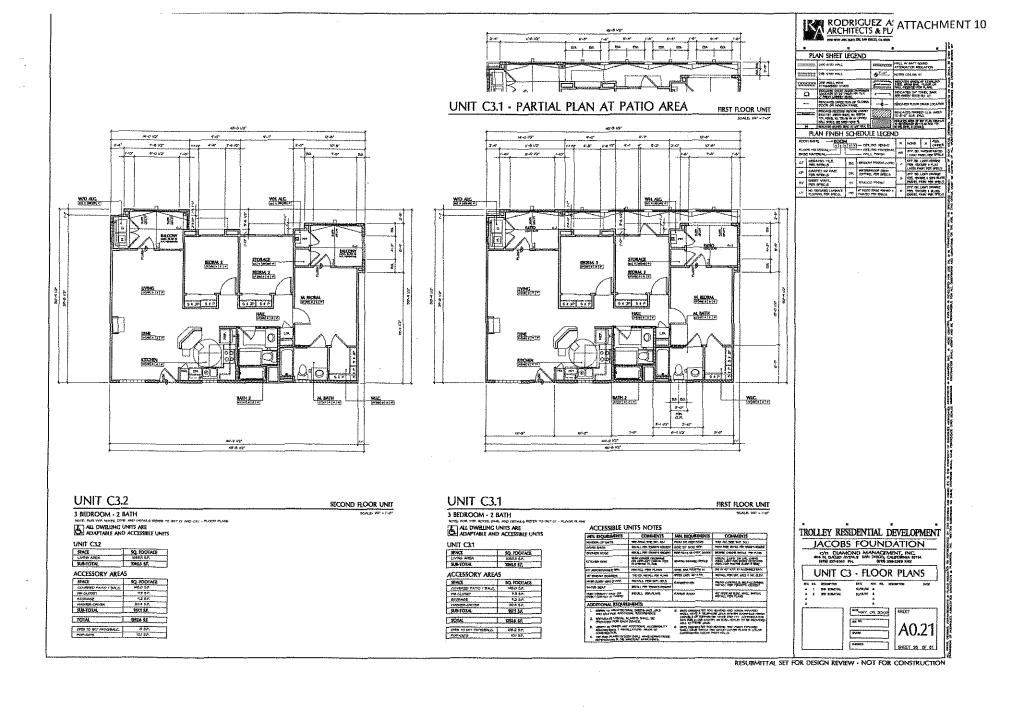


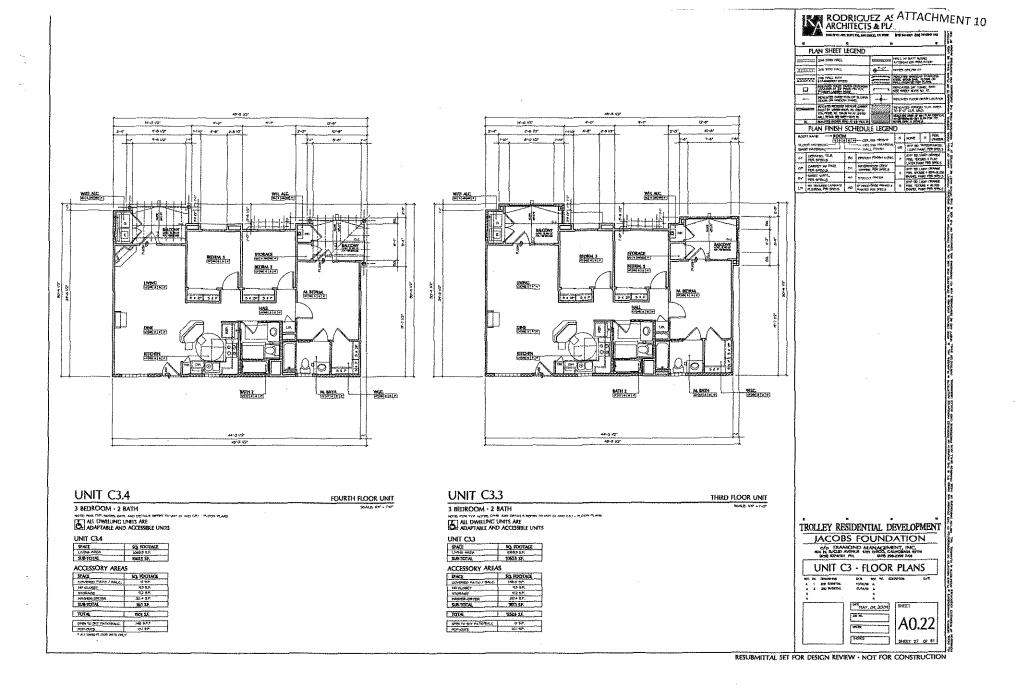


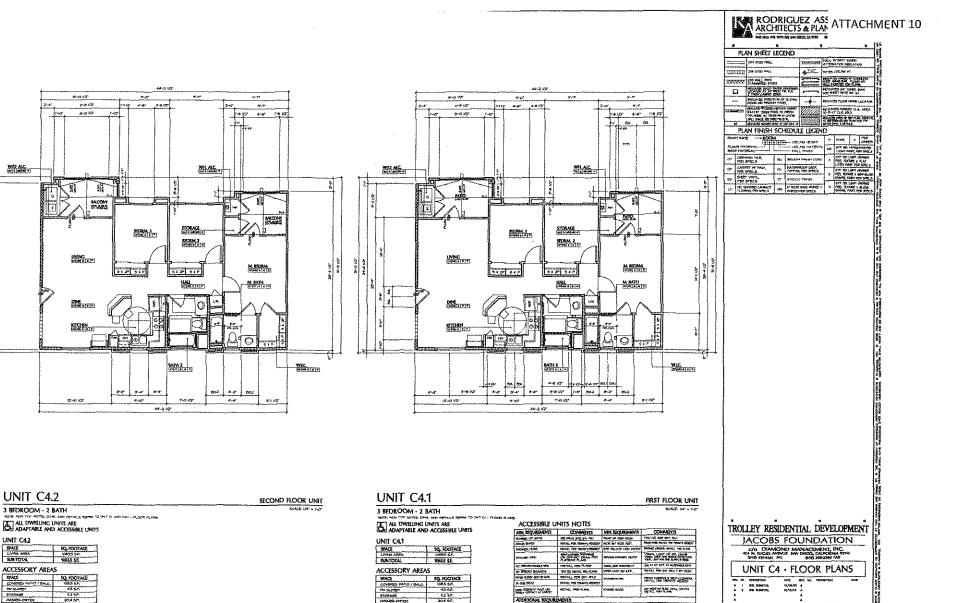












SUB-TOTAL

TOTAL

TOTAL

7543.7 S.E.

OFFICE SET PATIONALS, O'SE,

77.6 S.F.

12421 55.

225

HETER TO MACHITECHNAL BAZED OILS AND

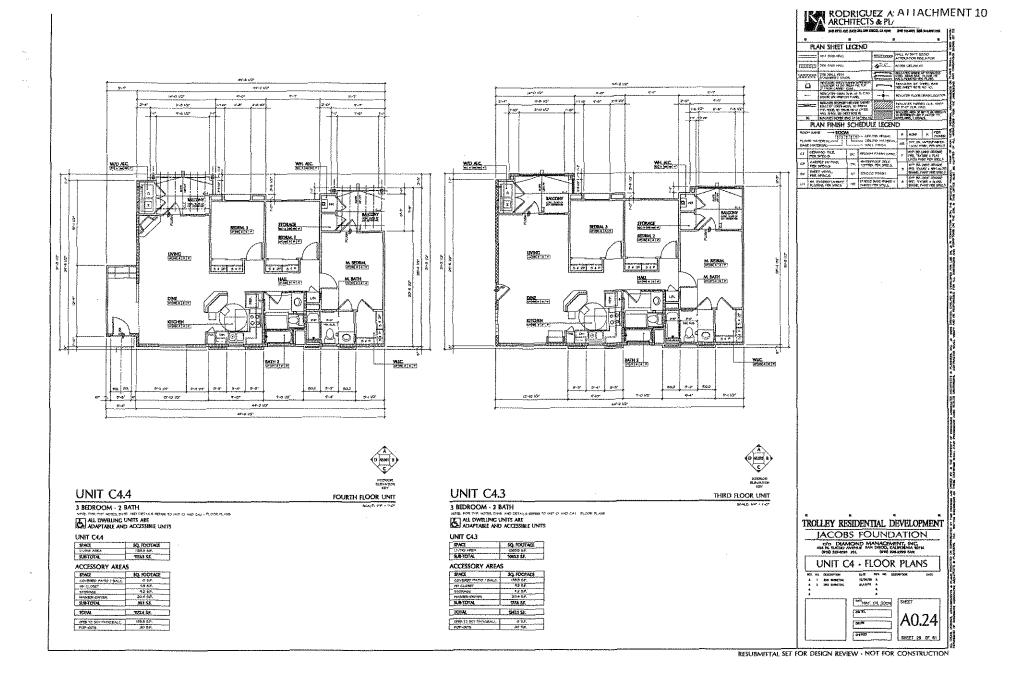
P REMARKS AGAIN WASHINGT IN

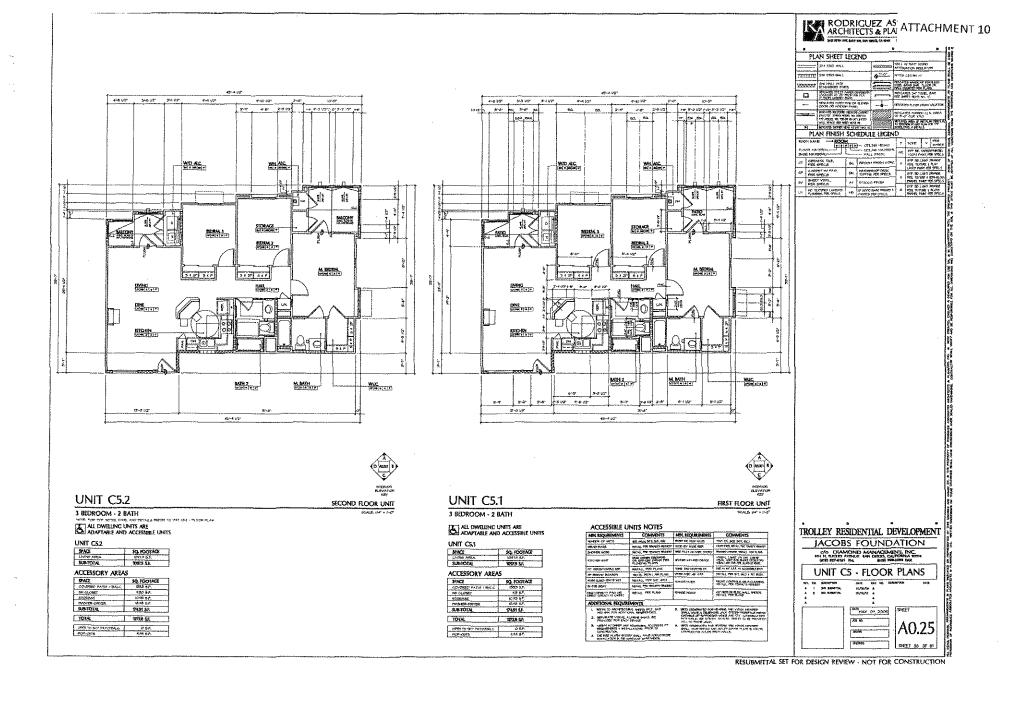
VEHIN HI CHINE HIY ACTIONAL ACCESSIONS RECEIVED TO SECULATION PRICE TO COSTOLOGIA

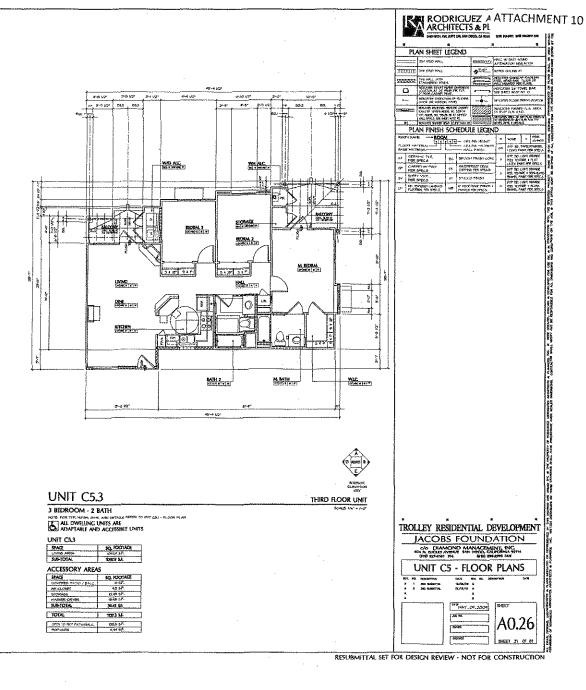
RESUBMITTAL SET FOR DESIGN REVIEW - NOT FOR CONSTRUCTION

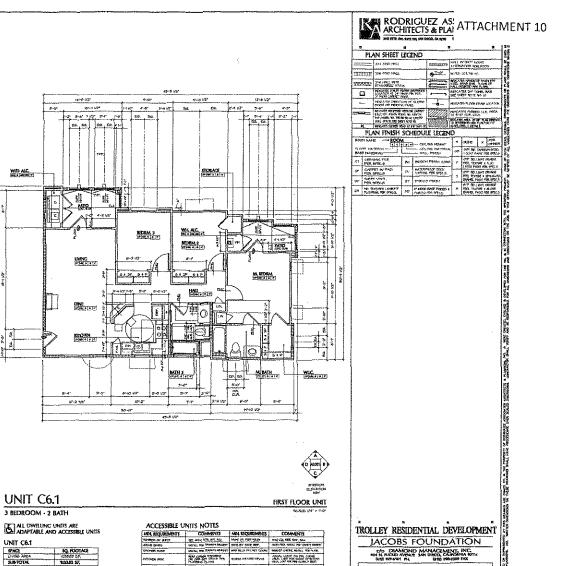
MAY OF SOM

250 WA









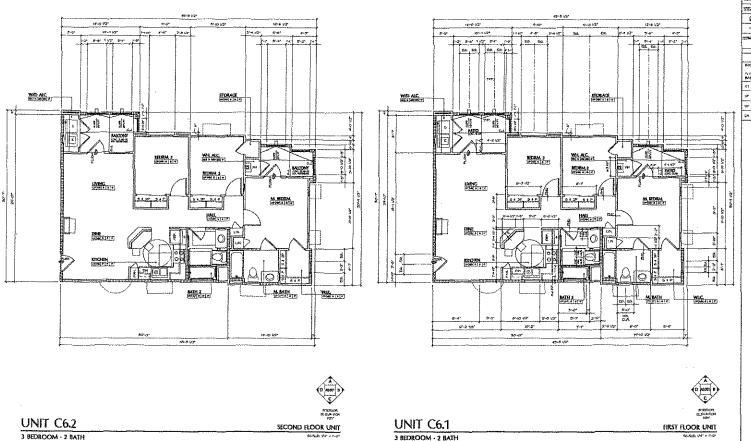
THE COMPANY OF THE PARTY

19 HOLL OF BUILD PAIL SALES

MATERIAL STREET, AND STREET, A

L. Ugger in violet MM. Notificial Landbook and Conference of Conference of March 1997 (Conference of March 1997). See may a first of the Conference of March 1997 (Conference of March 1997). See may a first of the Conference of March 1997 (Conference of March 1997). See may a first of the Conference of March 1997 (Conference of March 1997). See the Conference of March 1997 (Conference of March 199

MADE THE SALE OF THE SALE WIN SALES



ACCESSORY AREAS

FOR TO SET PATORIALS O SE, FOR-CUTS 06 SE.

1650 S.F.

1218,83 \$3.

SUBTOTAL

ALL DWELLING LINETS ARE ADAPTABLE AND ACCESSIBLE LINETS

> SQ. FOOTAGE 1000 40 s.r. T053 65 S.h.

> > 1650 SE

UNIT C6.2

TOTAL

ACCESSORY AREAS

OFER TO SET PATIONALS. 0 S.F. POP-CUTS 6 & S.F.

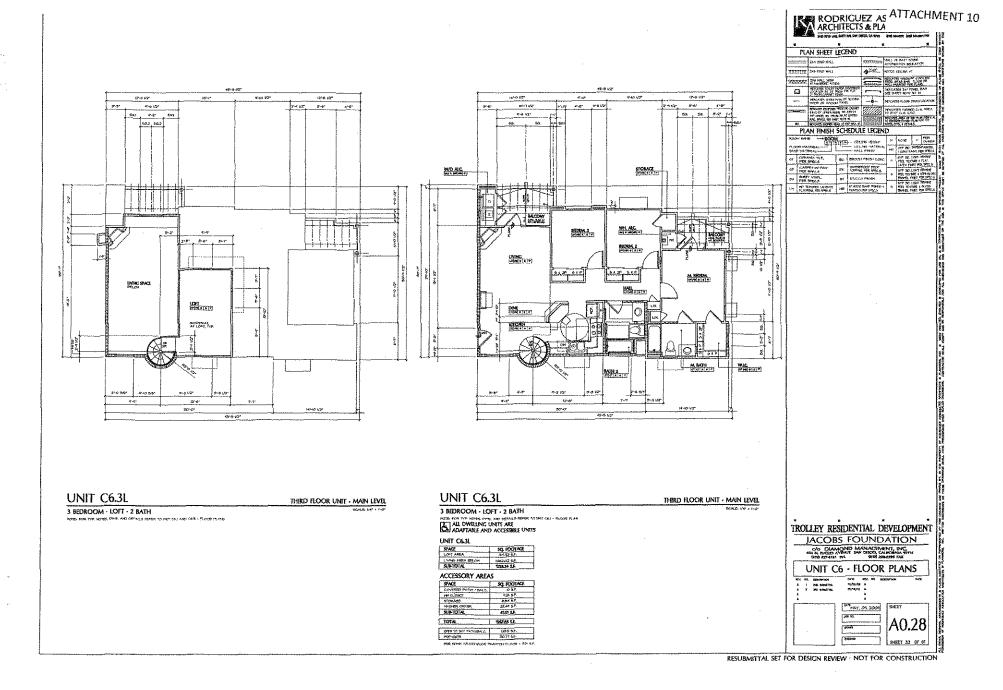
RESUBMITTAL SET FOR DESIGN REVIEW - NOT FOR CONSTRUCTION

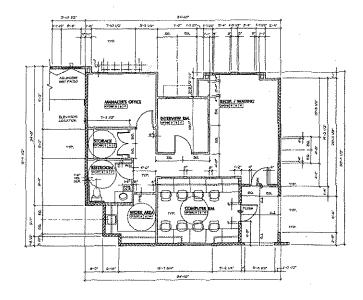
UNIT C6 - FLOOR PLANS

HAY. 09, 2009

A0.27

No. AU



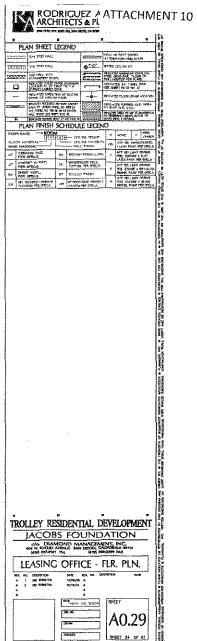


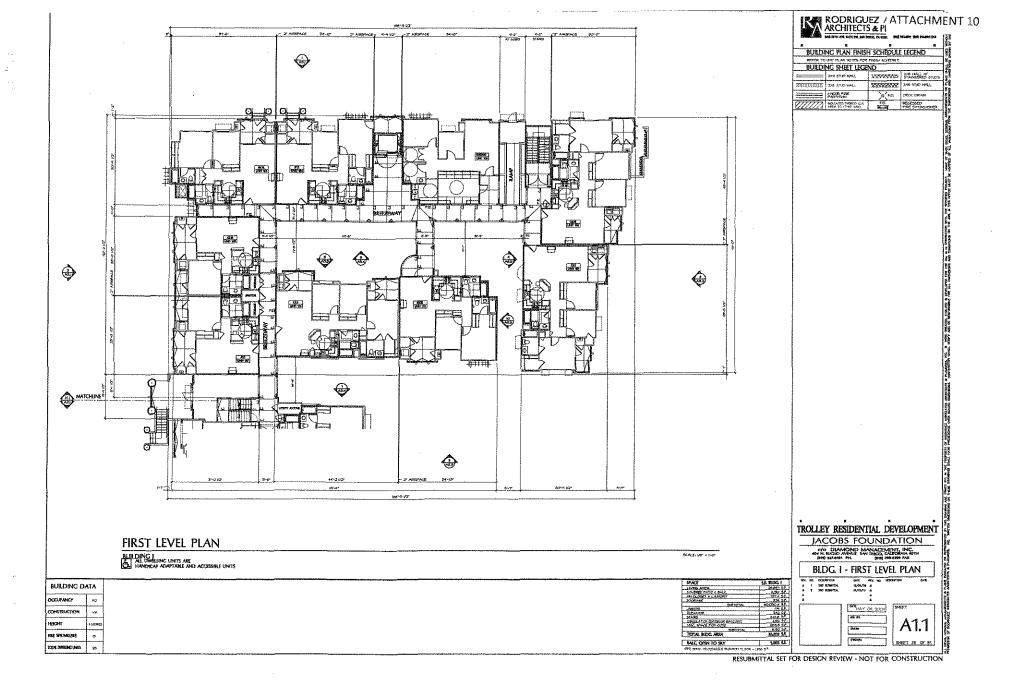
## LEASING OFFICE

ACCESSENE AREA

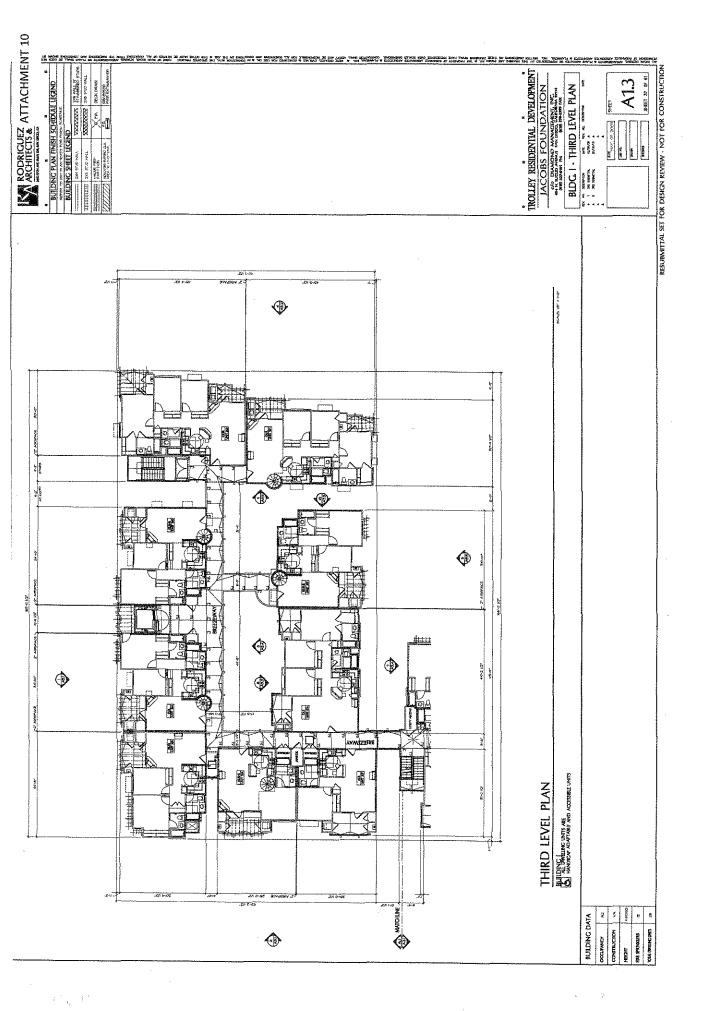
### LEASING OFFICE

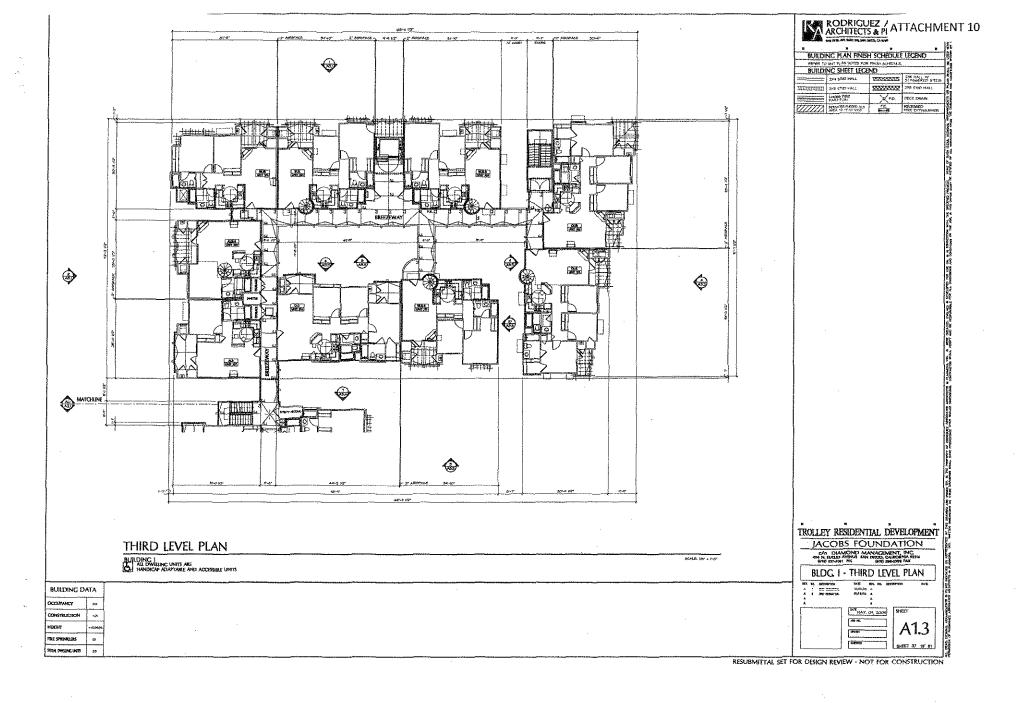
| 30, ROOJALE |
|-------------|
| 47 SF.      |
| rak n.*.    |
| IBY S.F.    |
| - 30 S.     |
| IDD SV      |
| 674.55      |
| 72 VEF      |
|             |

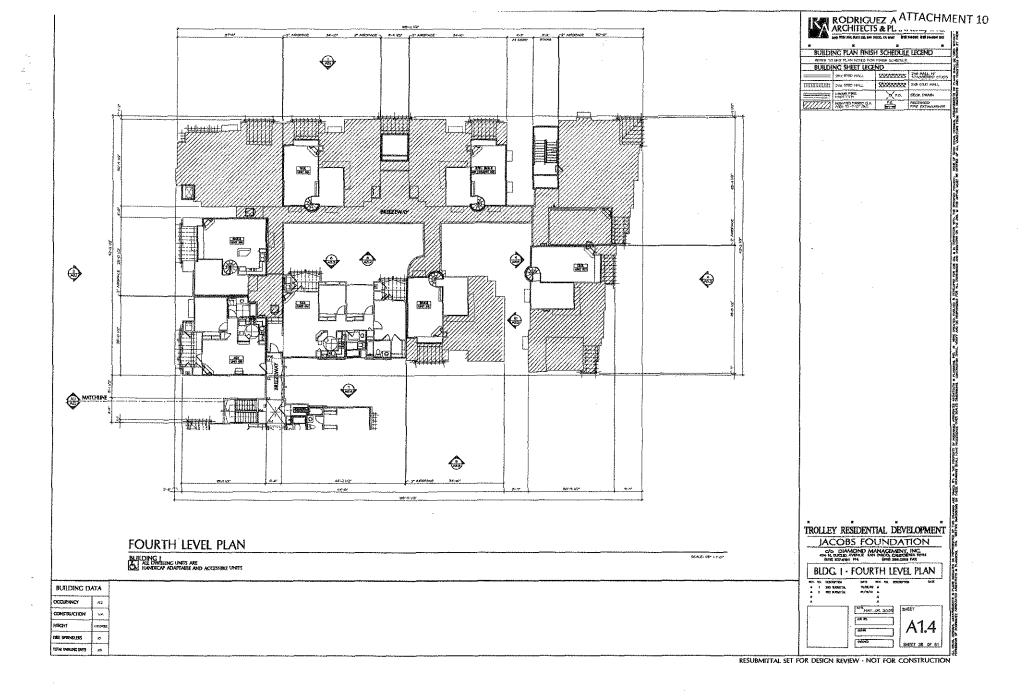




 $x \in \mathbb{A}_{p} \setminus \mathbb{R}^{d}$ 







TROLLEY RESIDENTIAL DEVELOPMENT A1.5 SEET 39 OF 51 JACOBS FOUNDATION

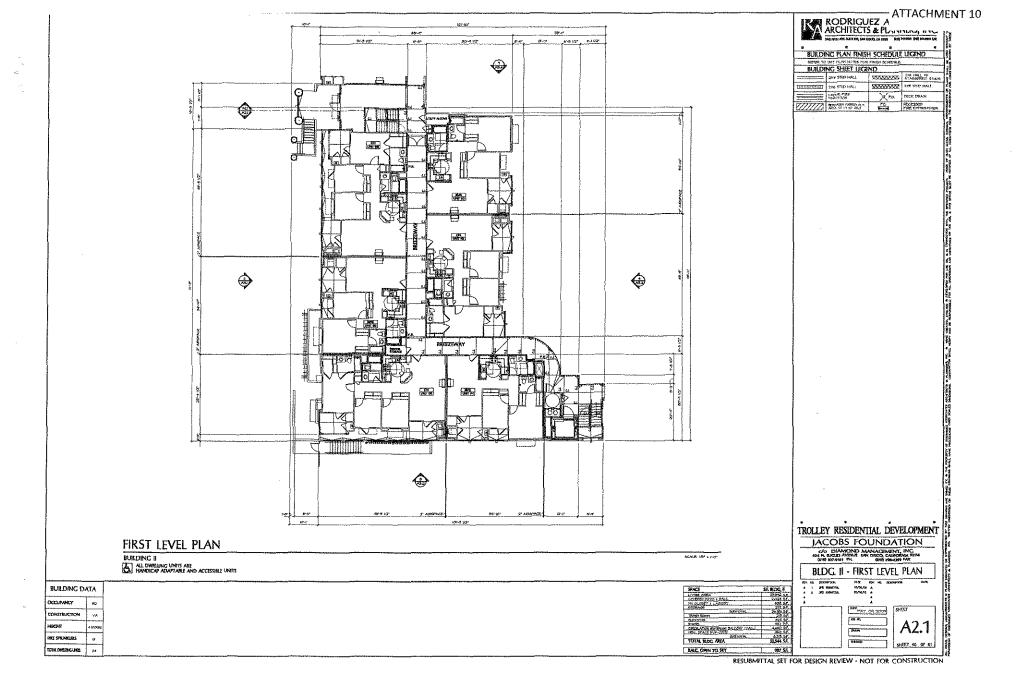
of DIAMOND MUNICIPARY, INC.

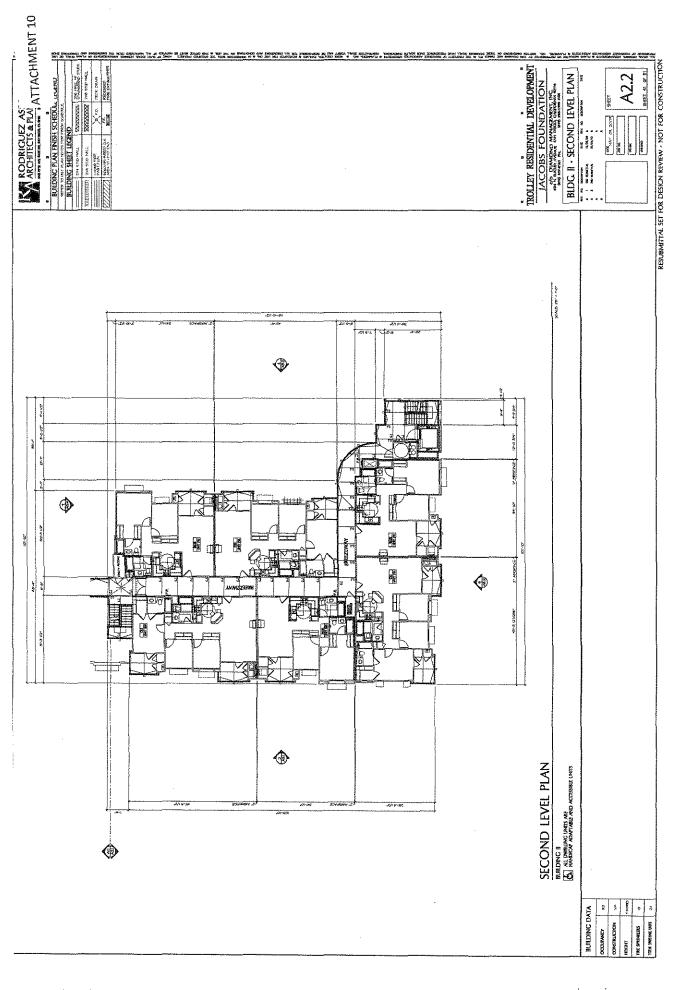
of DIAMOND MUNICIPARY, INC.

of DIAMOND MUNICIPARY, INC.

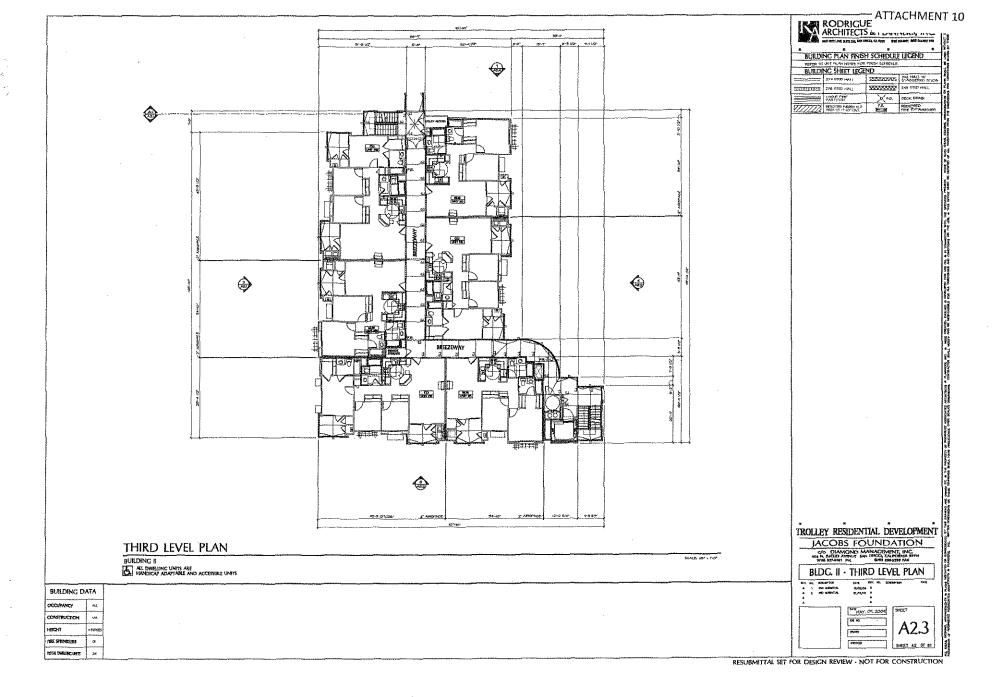
of Diamond of D BLDC, I. ROOF PLAN + 0/4/6 + 8/4/6 + 8/4/6

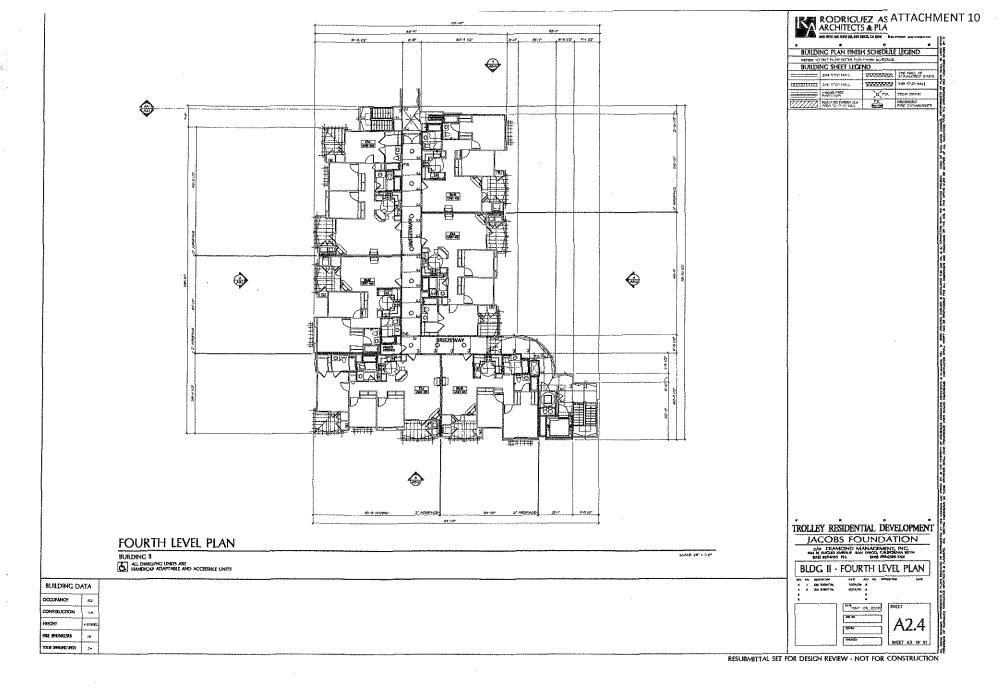
 1 Ĕ◆ **(**  £ 📀 **(1)** ROOF PLAN BUILDING 1 ₽Ġ **①** 

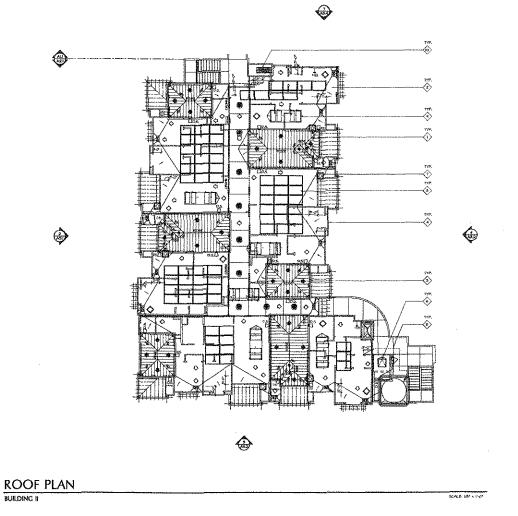




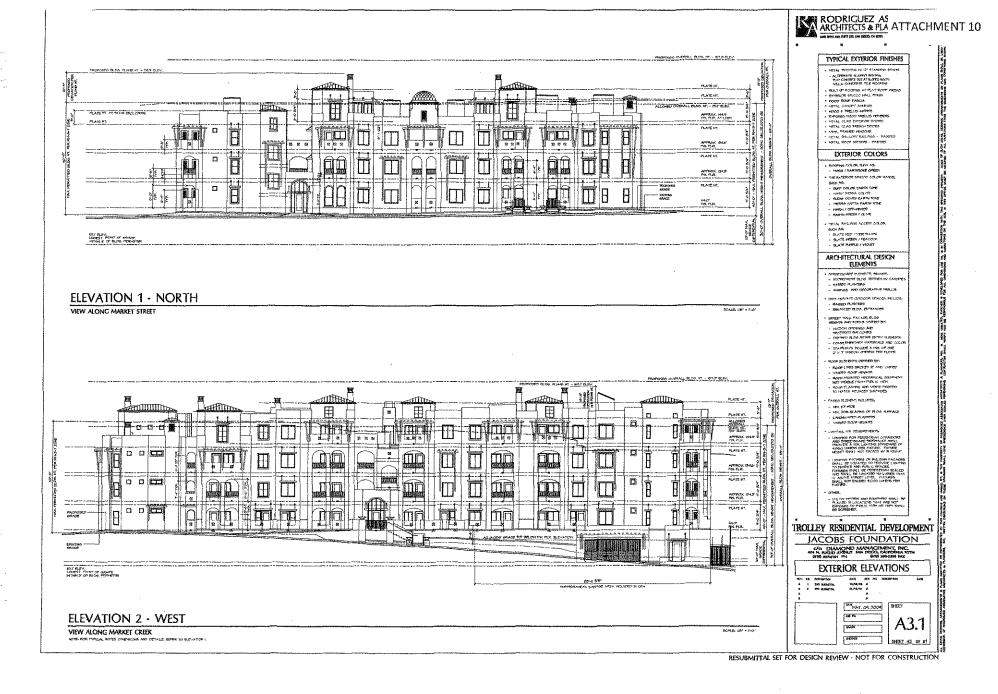
 $F^{(2)}(q) = Y^{(6)}$ 

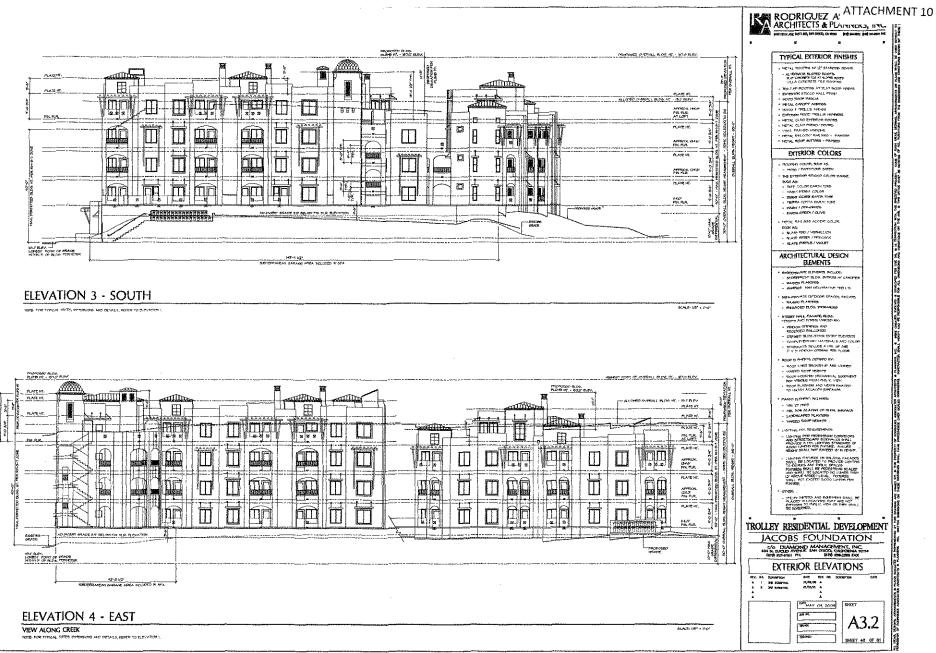


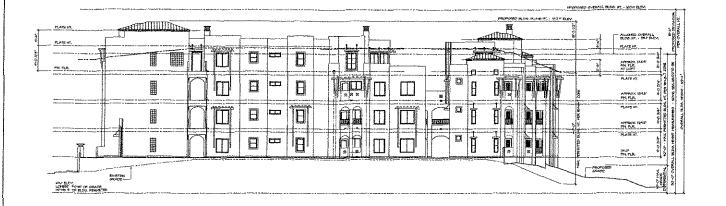




RODRIGUEZ ATTACHMENT 10 TYP, ROOF LECEND & NOTES TROLLEY RESIDENTIAL DEVELOPMENT JACOBS FOUNDATION BLDG. II - ROOF PLAN

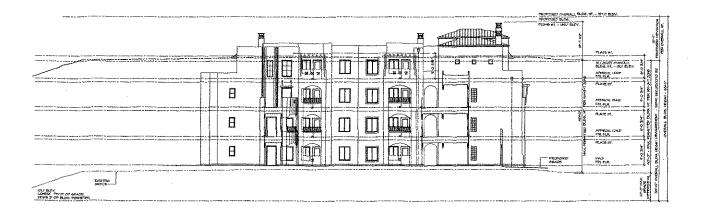






### **ELEVATION 5**

NOTE FOR TYPICAL NOTES, EMERGING AND EXCENS, PERFOR TO KLEVATION I.



**ELEVATION 6** 

NATEL TORI TYPICAL NOTES, DESCRIBING MET OFFICE, RETER TO SUCVATION I

RODRICUEZ ASS ATTACHMENT 10 SE AND PROCESSES OF COMMENTAL PROCESSES OF THE PROCESSES AS THE PROCESSES OF THE PROCESSES TYPICAL EXTERIOR FINISHES LASTAL ROOPING W ST STANSONS SEASON - ALTERNATE SLOTED SCOTES SLAT CONCESTS THE ALTERNATION SCOTES VELIA CONCESTS THE STANDARDS УКЕЛЬ СОРЫМЕТЕ СЪВ РОСРЕМЯ

ЗЕПАТИ РЕГОРИВО АТ ПАТЕ ВОРОЕ АТОРАТО

В МЕТОРИ В ОТОРОВНИТЕ В ОТОРОВНИТЕ

В МЕТОРИ EXTERIOR COLORS NOOPHIA COLOR SION AG. NOOF / EXPERIMENT MISSER NOTO FERTINION ROBER
 NET PROTECTION OF THE PAPER
 SERVICE
 NET PAPER
 NET STORY COLOR
 SERVICE COLOR
 SERVICE
 SERVICE COLOR
 SERVICE
 SERVIC · YETA RALINES ACCEPT OF CR. SEATE PROF / VONETO

SEATE PROF / VONETO

SEATE PROF / VONETO

SEATE PROFES / VONETO ARCHITECTURAL DESIGN ELEMENTS STORESTAND REPORT NO. 1774
 STORESTAND REPORT NO. 1774
 RANGE N. ANTEND
 APPRIES AND DECORATION TO SEE BER-PRIVATE CUTDOOR SPACES, FRANCE - SAEED PLANTERS - THUNGED PLODE, BUTENHES STREET MALL FACATE BLDG. HOWERS AND FORMS VARIOUST! ACCUST AND STANDED BALL

ROOM STEMBALLS CHANGED BY AND LANGUAGE

ROOM STEMBALLS CHANGED BY AND LANGUAGE

ROOM STEMBALLS CHANGED BY AND LANGUAGE

TO SCHOOL STEMBALLS CHANGED BY

TO SCHOOL STEMBALLS CHANGED

TO SCHOOL STEMBALLS

TO SCHOOL STE · PARES SERVERT BACKINGS - HIL IO HIDII - HIL IO HIDII LANDSCAFEE TR ANYTHIS VINDED SCOT HELDER a 1 (6000Asi, 1894 Tillion retrainmente TROLLEY RESIDENTIAL DEVELOPMENT JACOBS FOUNDATION C/O DIAMOND MANACEMENT, INC. EXTERIOR ELEVATIONS MAY, 04, 2004 28 HZ A3.3

IN RODRIGUE ATTACHMENT 10

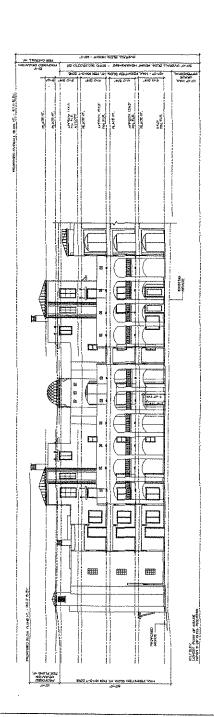
TYPICAL EXTERIOR FINISHES

CHINESEE CONT. PROPOSED CYZENI, BIDS, FT. - 1810 S.R. PARTH. APPERE MAN ANYBOX, D4.5 PN.F.P. PLATE HT. 74. F.A PLINE III. - WICH FLEV )C Œ. m B H Ħ B PROPERTY CANADA NO. BAN. LOPEST PAN. OF GRADE WINN N. OF R. DS. SECRETH SEASTING SEAST

EXTERIOR COLORS

The property of the property o

## ELEVATION 7



# ELEVATION 8

अस्टा ४४ व्हे हैं। A3.4 ANT THE COLUMN TO SERVE

TROLLEY RESIDENTIAL DEVELORMENT JACOBS FOUNDATION

LIGHTER PATIENT OF RALDING FALANCE PROPERTY WAS PROPERTY OF THE SHAPE PATIENT OF THE SHAPE FOR THE SHAPE WITH THE SHAPE FOR THE SHAPE WAS AND THE CONTROL OF THE SHAPE PATIENT OF THE SHAPE FOR THE SHAPE FOR

COMES.

IN THE PROPERTY AND EQUIPMENT PART, 20

IN THE PROPERTY PART AND TOWN OFF WAY.

STANDARD TO PERTY, VIEW OFF WAY SHALL

BY ACCREPAND.

SEMENT HALL PACKER BLOG FERDINGS FOR TOOK PARKER FAREFORM FERDINGS FOR TOOK PARKER FAREFORM FERDINGS FOR TOOK PARKER FAREFORM FOR TOOK PARKER FAREFORM FOR THOOK PARKER FAREFORM

PROOF IS THE MENORS BY
 AND ELETT BECKER BY NOT VARIETY
 VARIETY PACE REPORT
 PROCESS PACE PACE
 PROCESS PACE

STANDEL 497 TO DETERM TO CARDE
 STANDER 44 ANTERS 
 ANTERS 64 ANTERS 
 ANTERS 64 ANTERS 6
 ANTERS 64 ANTERS 6
 ANTERS 64 ANTERS 6

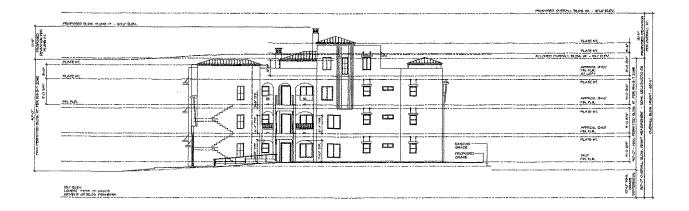
- Stances Alesses invote Wil-- Aless Alesses - Stances Files

ARCHITECTURAL DESIGN ELEMENTS

EXTERIOR ELEVATIONS

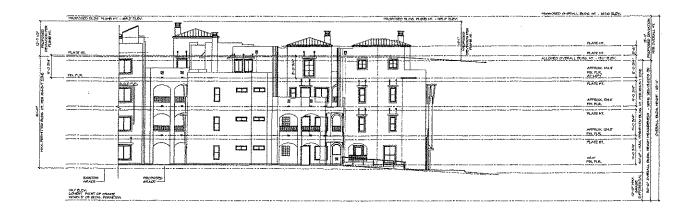
TANKS A CANONICAL CANONICAL ACCORDING A CANONICAL A CANONICAL A CANONICAL ACCORDING A CA

Mary his update to a 4 1 and supported 4 2 No summary.



### **ELEVATION 9**

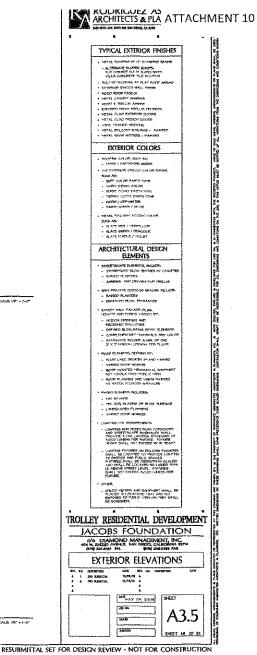
SCALE VET + P-OT NOTE, FOR TYPICAL HOTER, CHRESTICS AND DETAILS, REPER TO BLEVATION:

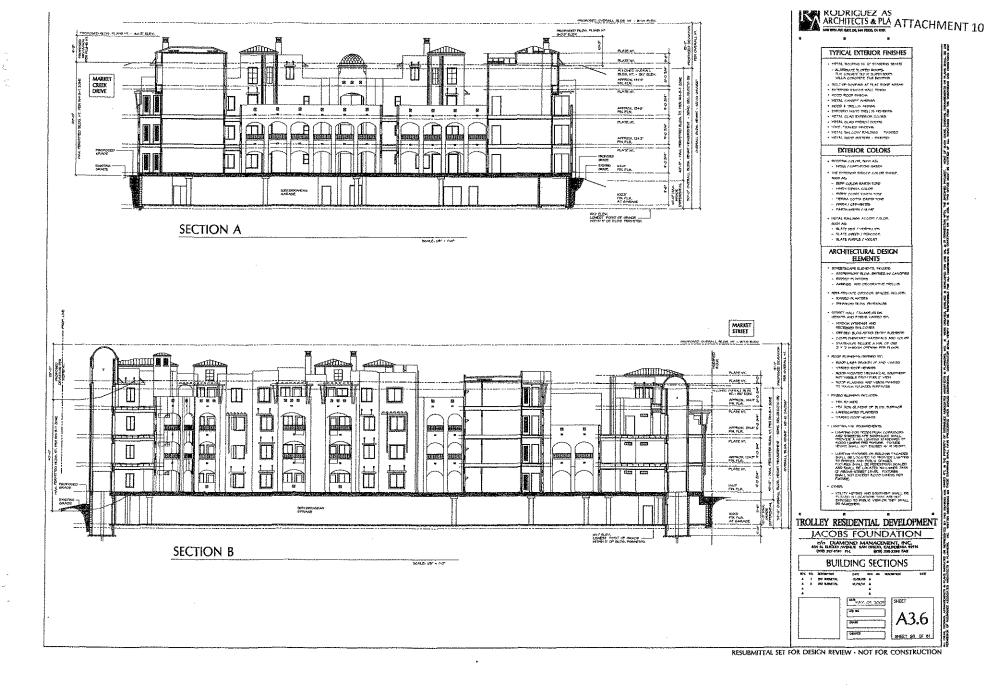


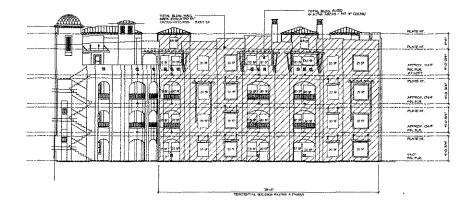
**ELEVATION 10** 

HOTEL FOR EVEICAL WITTER PARMETER WITH DETAILS, ROTHER TO DECUATION

\$C\\$1E (/8) = 5-07







ELEVATION 4 - EAST / FACING THE PASEO

TYPICAL EXTERIOR HNISHES METAL ROCHTHE HE IST STANDONS SEASON VILLA CONCRETE INCE ACCEPTOR

NELL'OR DECORRES A CHALT TOUR PERMA

ENTERING STOCK O NALL THOSE

1-NETTAL CARRENT AMERICA

1-NETAL CARRENT AMERICA

1-NETAL CARRENT AMERICA

1-NETAL CARRENT AMERICA

1-NETAL CARRENT CARRENT

1-NETAL CARRENT CARRENT

1-NETAL CARRENT CARRENT

1-NETAL CARRENT CARRENT

1-NETAL CA EXTERIOR COLORS PROFING COLOR SUCH AS
 MOSS : EARTHORE ROSEN - MORE TENTALEM FAMILY

MICHAEL THROUGH STREAM CALL OF MANNE,
SUCH AS

- BERT ACLIEN SHATH TONE

- MANNE SANNE CALL

- MANNE SANNE CALL

- MANNE SANNE CALL

- MANNE SANNE CALL

- MANNE SANNE FAMILY

- MANNE SANNE FAMILY \* TOTAL PAR MOS ALCONT OFFICE SOCK AS: \*\* SKATE MED / NEDWISSION \*\* SKATE SPECIES / MEACOCK \*\* SKATE SPECIES / NEWS ARCHITECTURAL DESIGN ELEMENTS STREETSCHEE DIESENSE WELLETE
 STORETSCHE SELDE, BENNES EN CHROP
 STREET TEATTER
 STREET TEATTER
 STREET TEATTER BUS TINNS IN COMPOUND SPACES, NAMED - RASED PLANTERS - INVINITE IS DO BOTTANCES NUMBER WALL FACACHE PURP HEROVER AND FORTH MARRIED BEY ROOM FORMS DEVENTION AND (ARREST
 NOTE SINES BECKETION AND (ARREST
 NOTE SINES BECKETION AND (ARREST
 NOTE SINES AND · nasto el metro accions PARTO EL CHANO POLO COM
A POR EST HITO

A POR DE GLÁDICO DE SE DE SESTADE

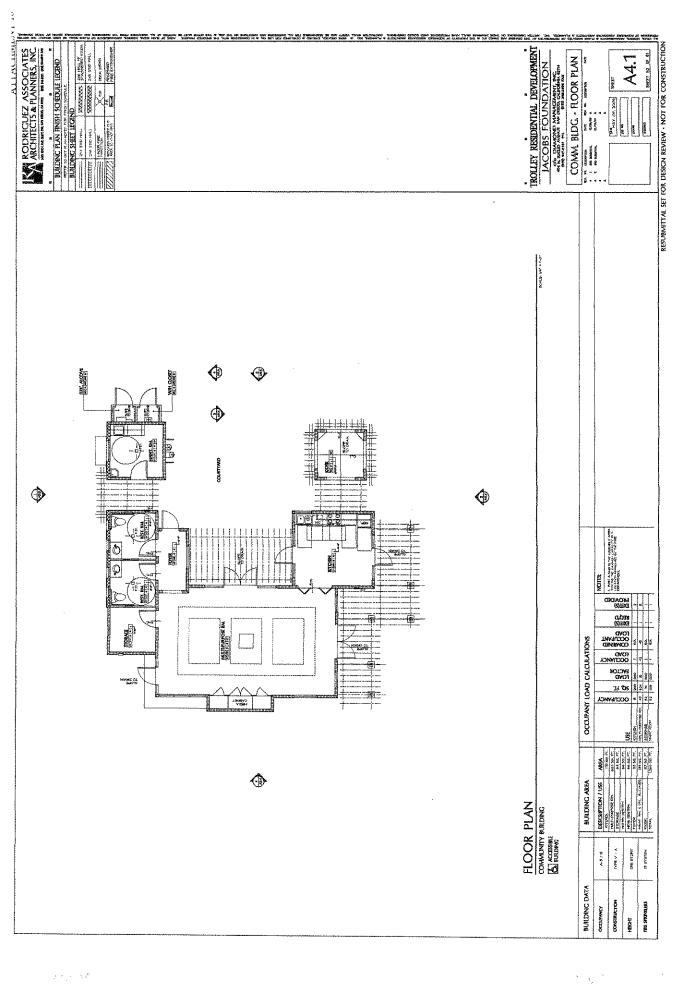
A SARRIGARISTO PLANTINOS

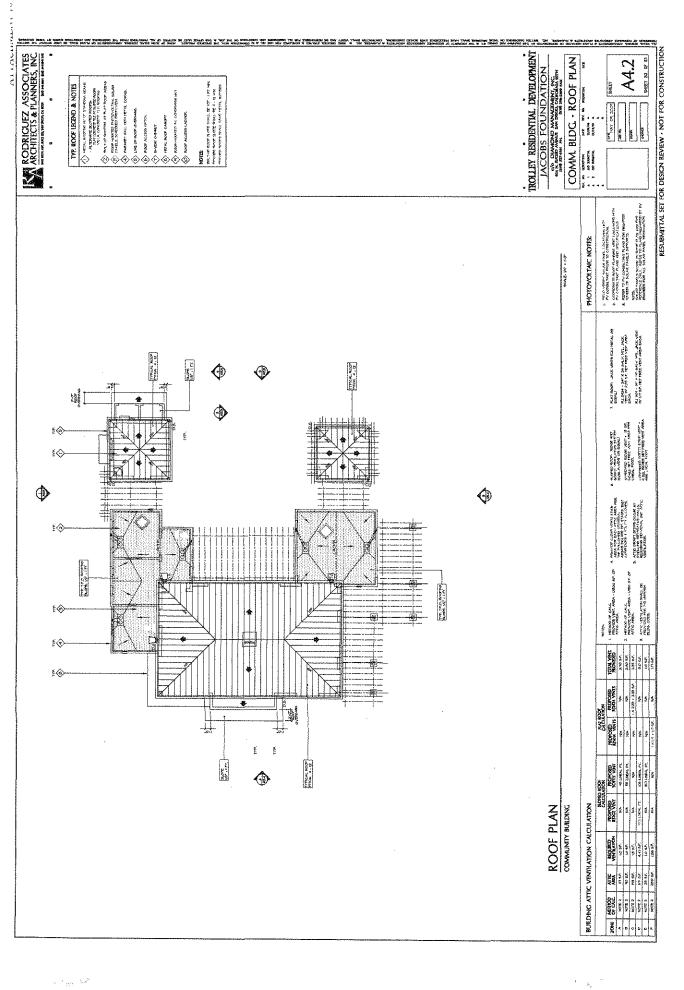
— CHARGO SINDO REGIONOS TROLLEY RESIDENTIAL DEVELOPMENT JACOBS FOUNDATION C/O DIAMONED MANAGEMENT, INC. BLDG. PASEO ELEVATION EXHIBIT SHEET MAY 09.2005 A3.7

NUMBER OF A P.O.

RODRIGUE ATTACHMENT 10

RESUBMITTAL SET FOR DESIGN REVIEW - NOT FOR CONSTRUCTION







- Jerna, Onordisk IV D' STADONS (2014)
- AUTSHALE BORDO BOOKE
- AUTSHALE BORDO BOOKE
- BORDO BOOKE
- BORDO BOOKE
- BOLL O' BOOKE
- BOLL O' BOOKE
- BOUND A FEAT BOOK ASSAM- BOTTSOOK STADON AF EAT BOOK
- BOTTSOOK STADON AF EAT BOOK
- BOTTSOOK STADON
- PARCON
- STALL CHOOK STADON
- PARCON
- STALL CHOOK STADON
- PARCON
- STALL CLAD STATISHING BOOMS
- HEILA CLAD STATISHING BOOK
- HEILA BO

RODRIGUEZ ASSOCIATES ARCHITECTS & PLANNERS, INC.

<del>ALIACHN</del>ENT IV

#### EXTERIOR COLORS

HOSS / BARTHTONE MISSIN

- NORO 18 ARTHOTOR BRITISH
THE EXTRESION STANCES OF SCHOOL
SICK AS
- DATA COLUMN EARTH COLUMN
- MATER STANCES OF SCHOOL
- MATER STANCES OF SCHOOL
- MATER STANCES
- MITTERS OF THE SCHOOL
- MITTERS OF THE SCHOOL
- MATERIAL OF THE SCHOOL
- MATERIAL TO THE
- MATERIAL TO THE SCHOOL
- MATERIAL TO THE SCHOOL
- MATERIAL TO THE SCHOOL
- MATERIAL TO SC

HETAL RAN HAS ACCOUNT COLUM

BUCKAG

- SLATE RED / MERILIAN

- SLATE RED / MERILIAN

- SLATE REDIS / MELICAN

- SLATE REDIS / MELICAN

#### ARCHITECTURAL DESIGN ELEMENTS

SPECIAL CAPE OF COMMENT OF CAME
 TOURISH OF CAME
 PASSED PLANTERS
 ANNIONS AND EMPLOYATING TREELS

PRINCES TO SE PRINCES DE LA PR

STORES SUCH FACADE BLDS HEARTH AND FORES VARIED BY

A SE MADERIC CARRIED BY

MEDICAL CARRIED BY CONTROL OF THE GROWN OF THE CARRIED BY CONTROL OF TH

ROOF HURSHIPS (SEPHED BY)

RACE (1995 BACKER IV AND VARIED 
VARIED BOOK INCHES)

- CONTRACTOR OF THE STATE OF

PARKO BIZHONT HICKORDS

PROSTO SIZHOTT MICHIESA

- PRIL OT HIDE

- YN 2018 SCATTHO OF BLDG SWENACE

- LANGUAGEST FLANTERS

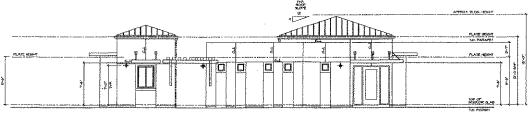
- VARREY BOOK HEISENTO

#### TROLLEY RESIDENTIAL DEVELOPMENT JACOBS FOUNDATION C/O DIAMOND MANAGEMENT, INC. 404 N SIGLED AVENUE SAN DISCO, CAUSCINIA SIZEM (415) SEPREME PH. 0179 219-2199 FAX

COMM. BLDG. - EXT. ELEVATIONS

WHE HAY, 04, 2004

10 MZ A4.3



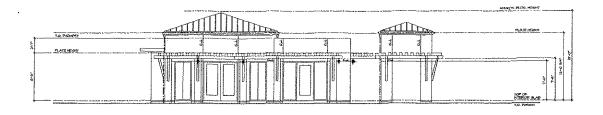
## **EXTERIOR ELEVATION 1 - NORTH**

COMMUNITY BUILDING

## **EXTERIOR ELEVATION 2 - EAST**

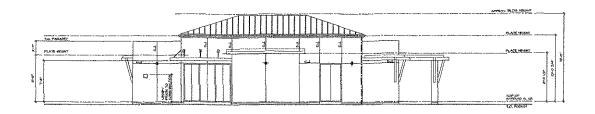
COMMUNITY BUILDING

RESUBMITTAL SET FOR DESIGN REVIEW - NOT FOR CONSTRUCTION



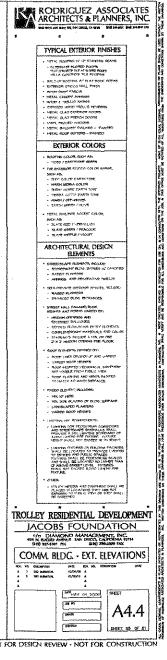
#### **EXTERIOR ELEVATION 3 - SOUTH**

COMMUNITY BUILDING

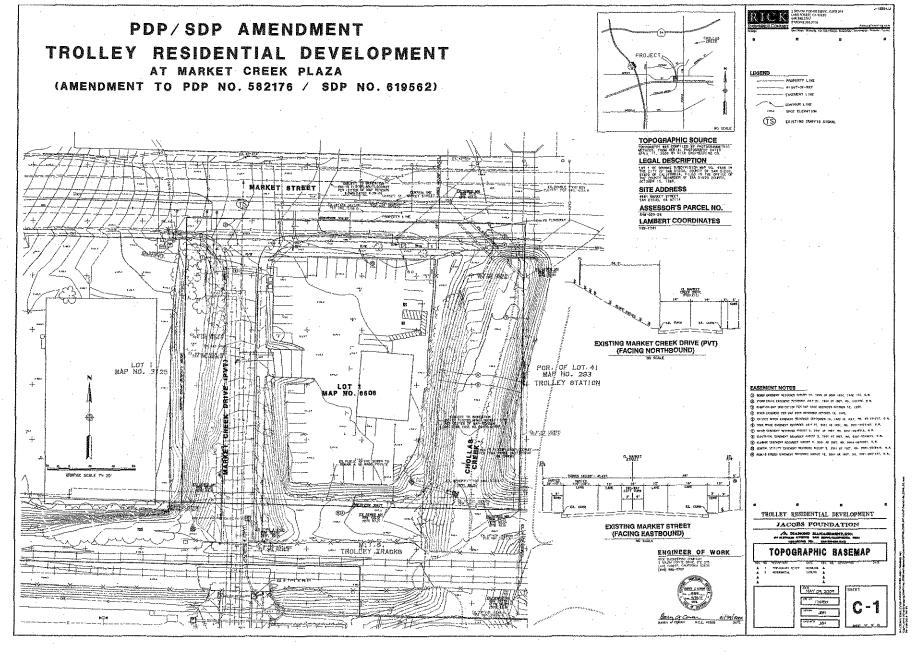


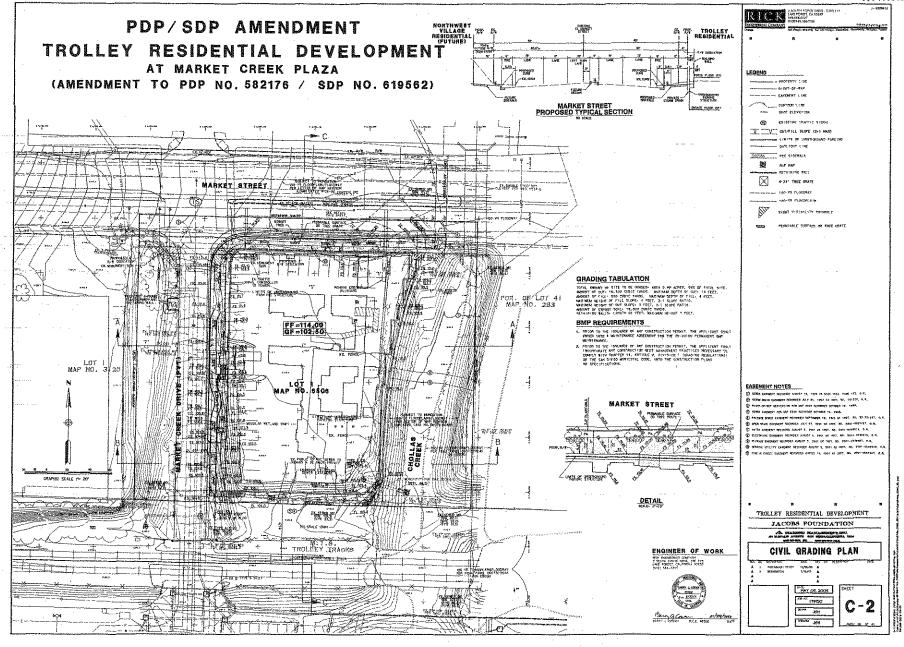
## **EXTERIOR ELEVATION 4 - WEST**

COMMUNITY BUILDING

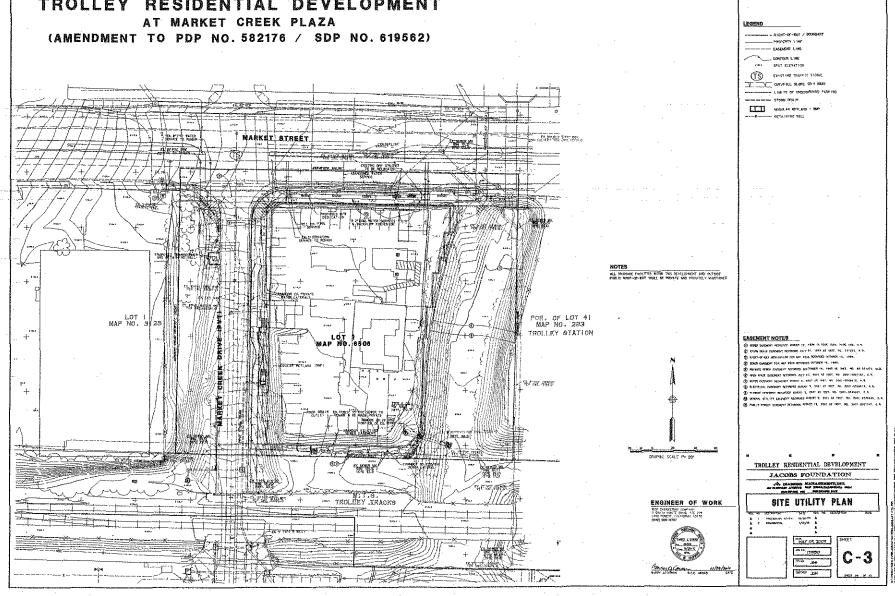


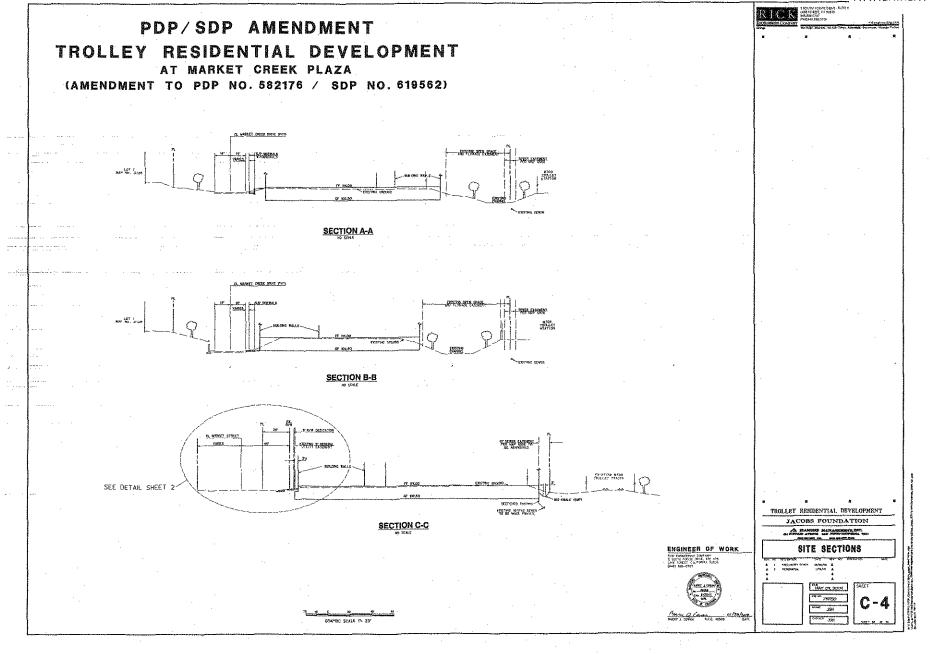
NOT FOR CONSTRUCTION





# PDP/SDP AMENDMENT TROLLEY RESIDENTIAL DEVELOPMENT

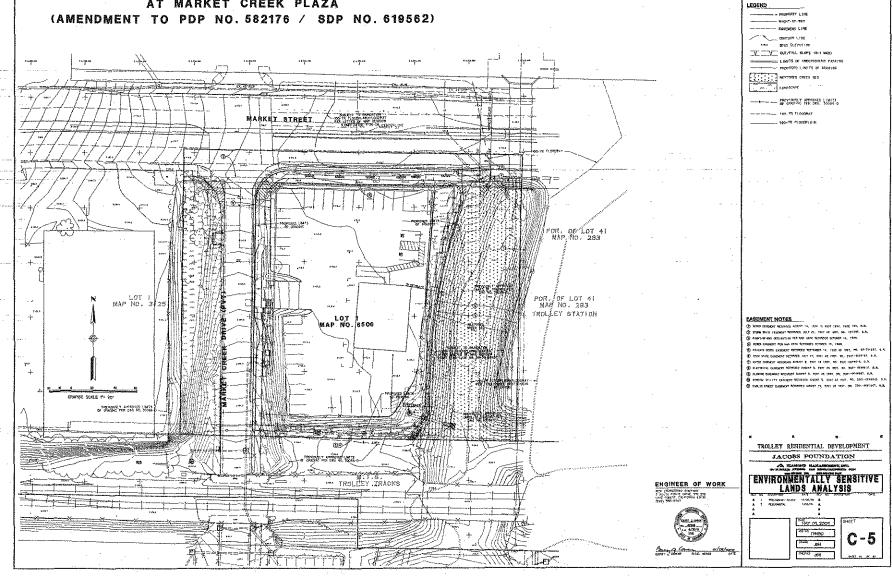




T CASH POWER DRAW - BUTTLEYS
LANS FOREST, CA 51500
1913 Against
(MACHINE ASSOCIATION)

## PDP/SDP AMENDMENT TROLLEY RESIDENTIAL DEVELOPMENT

AT MARKET CREEK PLAZA



J-13284JJ

## EXHIBIT "A"

## SEWER EASEMENT VACATED

That certain sewer easement granted to the City of San Diego, over the Southerly 10.00 feet of Lot 1 of Brooks Subdivision, Map No. 6506, in the City of San Diego, County of San Diego, State of California, according to Map thereof, filed in the Office of the County Recorder of San Diego County October 15, 1969.

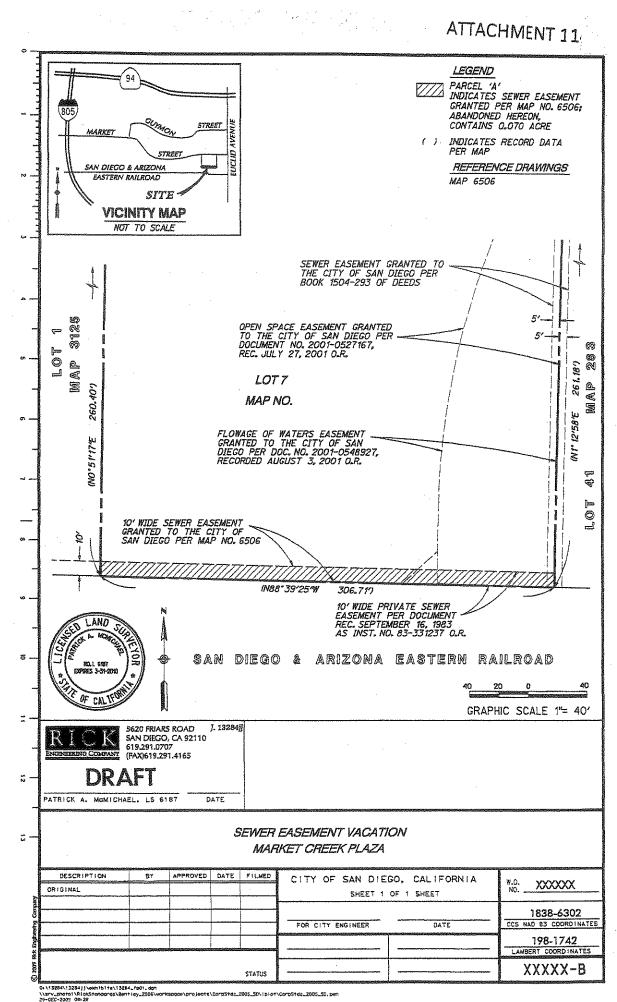
Containing 0.070 acre, more or less.

## DRAFT

Patrick A. McMichael, L.S. 6187

Date

Jb/13284Jj\_003





## **Jacobs Family Foundation**

## **BOARD OF DIRECTORS**

## MEMBERS

Joseph J. Jacobs, Founder (1916-2004)
Violet Jabara Jacobs, Founder
Margaret E. Jacobs
Norman F. Hapke, Jr.
Valerie Jacobs Hapke
Andrew M. Hapke

## OFFICERS\*

Chairman
Vice Chairman
President & CEO
Executive Vice President/COO
Treasurer/CFO
Secretary
Assistant Secretary

Margaret E. Jacobs Valerie Jacobs Hapke Jennifer S. Vanica Ronald L. Cummings Susan T. Halliday Susan T. Halliday Norman F. Hapke, Jr.

<sup>\*</sup>Two-year term running October 1, 2008 through September 30, 2010



## Diamond Management, Inc.

# BOARD OF DIRECTORS/OFFICERS

Jennifer S. Vanica, Chairman
Charles Buttner, President & CEO
Roque Barros, Secretary
Ronald L. Cummings, Chief Operating Officer
Susan T. Halliday, Chief Financial Officer
Dwayne Crenshaw, Representative from Coalition of Neighborhood Councils
Elaine Kennedy, Representative from Neighborhood Unity Foundation
Edward S. Price, Representative from Diamond Community Investors
Nico Calavita, Independent Board Member
Doug Diamond, Independent Board Member

| Project Title: TROLLEY THE Sidentia   | Project No. (For City Use Only)   |
|---|---|
| Part II - To be completed when property is held by a corpora  | tion or partnership   |
| Legal Status (please check):  |   |
| Corporation X Limited Liability -or- General) What Sta  | te? CA Corporate Identification No. 20-1797122  |
| the property. Please list below the names, titles and addresses of otherwise, and state the type of property interest (e.g., tenants with a partnership who own the property). A signature is required property. Attach additional pages if needed. Note: The applicant ownership during the time the application is being processed or of Manager at least thirty days prior to any public hearing on the sufficiency. | subject property with the intent to record an encumbrance against of all persons who have an interest in the property, recorded or ho will benefit from the permit, all corporate officers, and all partners of at least one of the corporate officers or partners who own the is responsible for notifying the Project Manager of any changes in considered. Changes in ownership are to be given to the Project |
| Corporate/Partnership Name (type or print): West Side Creek, LLC  | Corporate/Partnership Name (type or print): Market Creek Partners, LLC  |
| ▼ Owner Tenant/Lessee   | ▼ Owner   |
| Street Address:<br>404 Euclid Avenue<br>City/State/Zip:   | Street Address: 404 Euclid Avenue City/State/Zip:   |
| San Diego, CA 92114   | San Diego, CA 92114   |
| Phone No: Fax No: (619)527-6161 (619) 527-6162  | Phone No: Fax No: (619) 527-6161 (619) 527-6162   |
| Name of Corporate Officer/Partner (type or print):<br>Charles Buttner   | Name of Corporate Officer/Partner (type or print):<br>Charles Buttner   |
| Title (type or print): President of Managing Partner  | Title (type or print):<br>President of Managing Partner   |
| Signature : Date: Feb 8, 2010   | Signature Date: Feb 8, 2010   |
| Corporate/Partnership Name (type or print):   | Corporate/Partnership Name (type or print):   |
| Owner Tenant/Lessee   | Owner Tenant/Lessee   |
| Street Address:   | Street Address:   |
| City/State/Zip:   | City/State/Zip:   |
| Phone No: Fax No:   | Phone No: Fax No:   |
| Name of Corporate Officer/Partner (type or print):  | Name of Corporate Officer/Partner (type or print):  |
| Title (type or print):  | Title (type or print):  |
| Signature : Date:   | Signature : Date:   |
| Corporate/Partnership Name (type or print):   | Corporate/Partnership Name (type or print):   |
| Owner Tenant/Lessee   | Owner Tenant/Lessee   |
| Street Address:   | Street Address:   |
| City/State/Zip:   | City/State/Zip:   |
| Phone No: Fax No:   | Phone No: Fax No:   |
| Name of Corporate Officer/Partner (type or print):  | Name of Corporate Officer/Partner (type or print):  |
| Title (type or print):  | Title (type or print):  |
| Signature : Date:   | Signature : Date:   |



- 1. Subcommittee Report: To approve the project; MM: Greg Morales S: Ardel Matthews V: 9-0-0 Infavor
- 6. Requests for Lettersof Support:
  - a. Application for grant to pay for clean up a brown field at Northwest Village Sharon Hudwell 4970 & 5010 Market; MM: D. Williams S: Greg Morales V: 9-0-0 Infavor
  - b. SEDC and City Redevelopment is applying for a targeted brown field sites assessment grant to use in our community as an effort to identify and clean up these sites; ; MM: Roz King; S: Betty Cherry V: 9-0-0 Infavor
- 7. Position on Water and Population; Presenter: Greg Morales; MM to form a Subcommittee: MM: Henry Merritt: S Roz King V: 8-0-0 Infavor;
  - a. Formation of Election Committee for 2010: MM to form a Subcommittee: To MM: Derryl Williams: S Ardell Matthews V: 9-0-0 Infavor; Subcommittee Members:
    - i. Roz King
    - ii. Ardell Matthews
    - iii. Gladys Knight
    - iv. Derryl Williams
- 8. CITY STAFF REPORTS/ PLANNING DEPARTMENT (Myles Pomeroy): Copy on file?
- 9. CPC report Gregory Morales:
- 10. CHAIR'S COMMENTS:
- 11. COMMITTEE MEMBER COMMENTS/VILUNTEERS:
  - a. Henry Merritt, Chariman
  - b. Greg Morales
  - c. Elane Kennedy

| to minima a triangle of |         |                |               |
|-------------------------|---------|----------------|---------------|
| Subcommittee            | Subject | Recommendation | Copy on file? |
|                         |         |                |               |
|                         |         |                |               |
|                         |         |                |               |
|                         |         |                |               |
|                         | ļ       |                |               |

## 12. ADJOURNMENT:

Respectfully Submitted: D. Williams

## ENCANTO NEIGHBORHOODS COMMUNITY PLANNING GROUP MINUTES OF MEETING

Date: September 21, 2009

## 1. CALL TO ORDER/INTRODUCTIONS: At: p.m. by:

| Seat           | Member           | Here? | Seat     | Member           | Here? |
|----------------|------------------|-------|----------|------------------|-------|
| Alta Vista     | Betty Cherry     | Y     | At Large | Roman de Salvo   | N     |
| Broadway Hghts | Maxine Sherard   | Y     | At Large |                  |       |
| Chollas View   | Ardelle Matthews | Y     | At Large | Kathy Griffee    | Y     |
| Emerald Hills  | Henry Merritt    | Y     | At Large | Francine Maxwell | N     |
| Encanto-North  | Gladys Knight    | Y     | At Large | Roz King         | Y     |
| Encanto-South  |                  |       | At Large | Greg Morales     | Y     |
| Lincoln Park   | Dorothy James    | Y     | At Large | Derryl Williams  | Y     |
| Valencia Park  |                  |       | At Large | Marry Young      |       |

| City Department | Name          | Here? | Dept     | Name           | Here? |
|-----------------|---------------|-------|----------|----------------|-------|
| Planning        | Karen Bucey   | N     | 4th Dist | Bruce Williams | Y     |
| CPC Report      | Greg Morales  | Y     |          |                |       |
| ENCPG Chair     | Kathy Griffee | Y     |          |                |       |

Number of Visitors:

Sign-in Sheet on file:

## 2. COMMUNICATIONS FROM THE PUBLIC

| Name/Agency                  | Subject | Info on file? |
|------------------------------|---------|---------------|
| A. SDPO-                     | NONE    |               |
| B. SDFire                    | NONE    |               |
| C. Mayor                     | NONE    |               |
| 4th District: Bruce Williams | NONE    |               |

- 3. Adoption of Agenda: MM: Roz King S: Derryl Williams V: 8-0-0 Changes:
- 4. OLD BUSINESS (10 minutes each) presentation: NONE
- 5. NEW BUSINESS (10 minutes each) presentation
  - a. Afforadable Housing Projects by National Community Renaissance (National CORE)
    Presenters: John Seymour and Wayne Davis Informational
    Action: Requesting subcomitte be established to aid in the planning and design
  - b. Williams James Jones 327 405 WJJ Avenue (two parcles)
  - c. Creekside Point-vacant lot 53<sup>rd</sup> and Naranja-APN 548-051-12 and 13 No discussion (Reese Jeard)
  - d. Trolly Residential-Market Creek Plaza. Planned Development Permit PTS Number: 179950 (10 minutes)

February 8, 2010

### VIA EMAIL

Sandra Teasley
Development Services, City of San Diego
1222 First Avenue, MS 302
San Diego, CA 92101

Dear Ms. Teasley:



Southeastern Economic Development Corporation

T 619,527,7345 F 619,262,9845 www.sedeine.com

Re: Project No. 179950 – Market Creek Plaza - Trolley Residential – Proposed Development Permit

Amendment and Site Development Permit

We would like to thank the City Development Services and Planning Department staff for meeting today with the Southeastern Economic Development Corporation (SEDC) staff along with the applicant and architect for the above-referenced project, to review SEDC's February 4, 2010 comments on the project:

SEDC staff is satisfied that the proposed permit condition that requires an urban trail along Market Creek Drive responds directly to our previous comments, and will provide some additional opportunity to study the street design and satisfy our concerns about the creek corridor and the pedestrian friendly streetscape along Market Creek Drive. We are supportive of the following permit condition that will accomplish this: "...applicant shall provide an interpretive drought-tolerant urban trail along the Market Street and Market Creek Drive project boundaries. The urban trail shall include artistic elements, landscaping, pedestrian-oriented lighting, and hardscape improvement that reflect the natural and Chollas Creek environments." We look forward to participating in the applicant's community charette to study this matter further.

We are also persuaded by City staff and the applicant's architect that the elevation changes along the Market Creek Drive frontage make it difficult to place additional street level connectivity (e.g., stoops) at grade level for the Market Creek Drive elevation and that the door, window and balcony placement along both elevations are adequate to activate both street frontages.

As for bicycle lockers, we acknowledge that the municipal code does not require these facilities and thus any provision beyond code is at the applicant's discretion. For purposes of being a joint funder of the project, we will look forward to and welcome further study of this amenity and the potential to provide lockers as part of the design refinement in order to meet our Multi-Family Development Guidelines, recently updated and adopted on November 24, 2009 by the Redevelopment Agency (http://www.sedcinc.com/reports/MFDG\_update\_11\_24\_09.pdf).

SEDC strongly supports the continued development of the Village Center at Market Creek by the Jacobs Center and we look forward to the addition of the residential uses to this mixed-use village within the Southeastern San Diego area.

If you have any questions of comments, please contact me at (619) 527-7345.

Sincerely.

Sherry A. Brooks Project Manager

SB:eb



| PROJECT DATA SHEET                   |   |  |
|--------------------------------------|---|--|
| PROJECT NAME:                        | Trolley Residential   |  |
| PROJECT DESCRIPTION:                 | Amend PDP 582176 and SDP 619562 to construct 52 dwelling units            |  |
| COMMUNITY PLAN<br>AREA:              | Encanto Neighborhoods - Southeastern San Diego<br>Community Plan          |  |
| DISCRETIONARY<br>ACTIONS:            | Easement Vacation, Planned Development Permit and Site Development Permit |  |
| COMMUNITY PLAN LAND USE DESIGNATION: | Neighborhood Village (15 – 44 du/ac)                                      |  |

## **CURRENT ZONING INFORMATION:**

ZONE: RM-3-7 (CPIOZ)

**HEIGHT LIMIT:** max = 40 feet

**LOT SIZE:** min = 7,000 sf

**FLOOR AREA RATIO:** max = 1.8

FRONT SETBACK: 0

SIDE SETBACK: 0

STREETSIDE SETBACK: n/a REAR SETBACK: 10'

PARKING: 98 required

| ADJACENT PROPERTIES:                     | LAND USE DESIGNATION & ZONE  | EXISTING LAND USE          |
|--|--|----------------------------|
| NORTH:                                   | Neighborhood Village<br>(15-44 du/ac); RM-3-9  | Commercial                 |
| SOUTH:                                   | Neighborhood Village<br>(15-44 du/ac); SESDPD-<br>CT-2   | Commercial                 |
| EAST:                                    | Trolley Station;<br>SESDPD-CT-2  | Euclid Ave Trolley Station |
| WEST:                                    | Single-family Res (9 du/ac); SESDPD-I-1  | Industrial                 |
| DEVIATIONS OR VARIANCES REQUESTED:       | Deviations Height: 59' 3" where 40 is allowed Parking 94 spaces where 98 is required Signs: 2 ground signs |                            |
| COMMUNITY PLANNING GROUP RECOMMENDATION: |  |                            |

## BACKGROUND CHRONOLGY OF PREVIOUS ENTITLEMENTS/ZONE

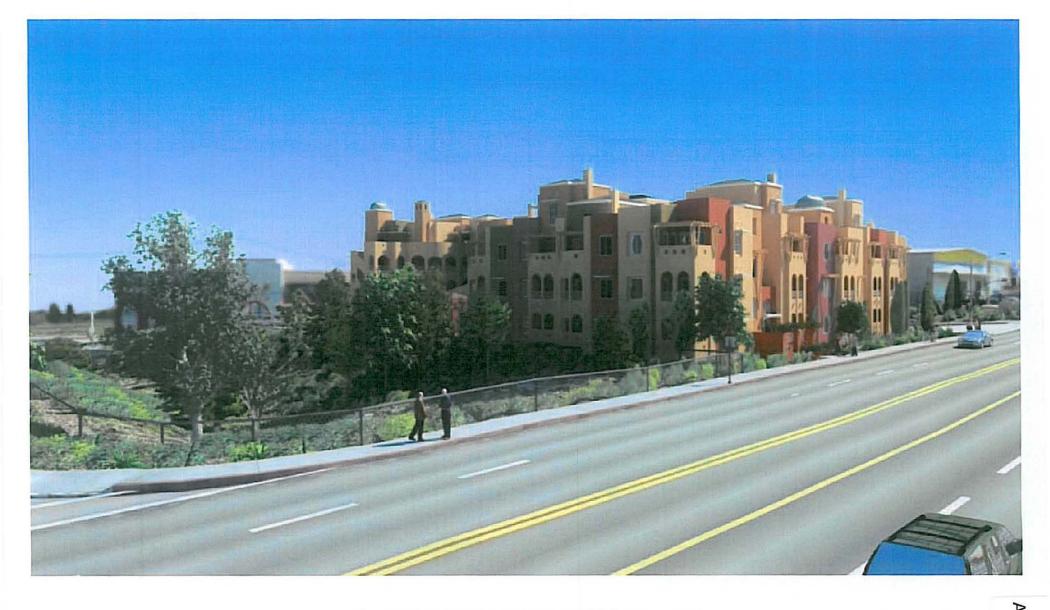
1999: Planning Commission approval of the *Market Creek Plaza Project* No. 99-0156, a Resource Protection Ordinance/Southeastern San Diego Development Permit for the development of a 3-lot subdivision for commercial development. The subject parcel previously (identified as Lot 7), and proposed for a retail development as noted in the table below:

| Proposed<br>Lots | Lot Area (Acres) | Existing Building Identification Letter or Existing Development | Development within proposed lot areas pursuant to the VTM and as identified on Exhibit "A" RPO/SESD/RPO Permit No. 99-0156 |
|------------------|------------------|---|--|
| Lot 1            | 2.13             | Surface Parking   | Parking structure  |
| Lot 2            | 1.54             | Surface Parking   | Parking structure  |
| Lot 3            | 2.94             | F   | Jacob's Foundation  Headquarter/Conference Center  |
| Lot 4            | 6.55             | A, B, C, D, E   | Shopping Center/Market   |
| Lot 5            | 1.86             | Vacant  | Multi-purpose Recreation Center  |
| Lot 7            | 1.66             | Surface Parking   | 2 retail pads/parking lot  |
| Lot A            | 3.27             | Open Space Easement/ Las Chollas Creek                          | Open Space Easement/Las Chollas Creek  |
| TOTAL            | 20.49            |   | •  |

2004: City Council approval of the *Village Center at Euclid Avenue and Market* proposal as one of five projects to become "Pilot Village demonstration projects" for the City of Villages strategy of smart growth. The subject parcel, Lot 7 and the entire development approved under Project No. 99-0156 as "Market Creek Plaza" is included in this pilot village site.

2009: Planning Commission approval of *Market Creek Plaza Vesting Tentative Map* Project, a Vesting Tentative/Planned Development Permit and Site Development Permit No. 117302 for the subdivision of 3 lots into 8 lots with deviations to the lot standards for some of the lots. No development was approved with this proposal. The subject parcel was unchanged with this project, but incorporated into the VTM.

2009: City Council/Redevelopment Agency approval of the *Fifth Amendment to the Central Imperial Redevelopment Plan*, which required Amendments to the Southeastern San Diego and Skyline Community Plans, Amendments to the Land Development Code, Rezones of various properties from the Southeastern San Diego Planned District Zones (SEDC) to city-wide zones, and, Certification of Environmental Impact Report No. 106715. These actions modified land uses and rezoned various contiguous and non-contiguous parcels within the redevelopment area,



TROLLEY RESIDENTIAL DEVELOPMENT CHOLLAS CREEK VIEW FROM MARKET STREET









TROLLEY RESIDENTIAL DEVELOPMENT
CHOLLAS CREEK AND PARTIALMTS STATION VIEW FROM MARKET STREET









TROLLEY RESIDENTIAL DEVELOPMENT
CORNER VIEW AT MARKET STREET AND MARKET CREEK DRIVE









TROLLEY RESIDENTIAL DEVELOPMENT
MARKET CREEK DRIVE WITH JACOBS CENTER IN BACKGROUND



